

# FINAL ENVIRONMENTAL IMPACT REPORT

## WESTGATE SPECIFIC PLAN

CITY OF FONTANA, CALIFORNIA



JULY 2015



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**CITY OF FONTANA, CALIFORNIA**

Prepared For:

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**JULY 2015**



## Table of Contents

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	Page
<b>1.0 INTRODUCTION .....</b>	<b>1-1</b>
<b>2.0 COMMENTS AND RESPONSES.....</b>	<b>2-1</b>
<b>3.0 CORRECTIONS AND ADDITIONS TO THE DRAFT EIR.....</b>	<b>3-1</b>
<b>4.0 MITIGATION MONITORING AND REPORTING PROGRAM.....</b>	<b>4-1</b>

## List of Tables

---

	Page
1-1 Planning Area Land Use Summary .....	1-4
1-2 Development Summary for Proposed Commercial Uses <sup>a</sup> .....	1-5
1-3 Phase 1 Development Summary .....	1-8
ES-1 Planning Area Land Use Summary .....	3-2
2-1 Planning Area Land Use Summary .....	3-9
2-4 Westgate Center Summary .....	3-10
3-2 Cumulative Development Summary .....	3-12
4.C-6 Unmitigated Westgate Specific Plan Operational Emissions – Phase I and Buildout <sup>a</sup> (Pounds per Day) .....	3-14
4.C-7a Planning Area 41 Warehouse and Distribution – Operational Localized Impacts <sup>a</sup> .....	3-15
4.C-8 Summary of Maximum Modeled DPM Concentrations and Cancer Risk .....	3-17
4.C-9 Summary of Maximum Modeled Annual DPM Concentrations and Noncancer Chronic Health Impacts .....	3-17
4.C-10 Summary of Maximum Noncancer Acute (1-Hour) Health Impacts .....	3-18
4.C-11 Summary of Maximum Noncancer Acute (8-Hour) Health Impacts .....	3-18
4.C-12 Unmitigated Westgate Specific Plan - Cancer Risk Calculations .....	3-19
4.C-13 Unmitigated Westgate Specific Plan - Non-Cancer Chronic and Acute Calculations .....	3-19
4.G-2 Unmitigated Proposed Westgate Specific Plan Annual Greenhouse Gas Emissions .....	3-23
4.G-3 Mitigated Proposed Westgate Specific Plan Annual Greenhouse Gas Emissions .....	3-24
4.L-1 Proposed Project Population, Household, and Employment Impacts Between the Years of 2008 and 2035 .....	3-27
4.L-6 Cumulative Population, Housing, and Employment Generation .....	3-28
4.0.1-18 Estimated Cumulative Water Demand .....	3-34
4.0.2-2 Cumulative Wastewater Generation .....	3-36
4.0.3-1 Existing and Proposed Solid Waste Generation for the Proposed Project .....	3-38
4.0.3-3 Cumulative Solid Waste Generation .....	3-39
4-1 Mitigation Monitoring and Reporting Program .....	4-2

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# 1.0 INTRODUCTION

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## 1. PURPOSE AND CONTENT OF THE FINAL EIR

The City of Fontana (the “City”), as the Lead Agency under the California Environmental Quality Act (“CEQA”), has prepared this Final Environmental Impact Report (“Final EIR”) for the Westgate Specific Plan (also referred to as the “project”). This document, in conjunction with the Draft EIR, collectively comprise the Final EIR.

As described in Sections 15089, 15090 and 15132 of the CEQA Guidelines, the Lead Agency must prepare and consider the information contained in a Final EIR before approving a project. Pursuant to CEQA Guidelines Section 15132, a Final EIR consists of: a) the Draft EIR or a revision of the Draft; b) comments and recommendations received on the Draft EIR either verbatim or in summary; c) a list of persons, organizations, and public agencies commenting on the Draft EIR; d) the responses of the Lead Agency to significant environmental points raised in the review and consultation process; and e) any other information added by the Lead Agency. In addition, this Final EIR includes: a summary of the project being proposed; a description of the CEQA EIR process conducted for the project; and a description of the contents and organization of the Draft EIR and Final EIR.

Accordingly, this Final EIR is comprised of two components as follows:

### **Component 1: Draft EIR and Technical Appendices (January 2015)**

- Volume 1: Draft Environmental Impact Report - EIR Chapters 1.0 to 8.0
- Volume 2: Draft Environmental Impact Report – Appendices A through H
- Volume 3: Draft Environmental Impact Report – Appendices I through J (through J2B)
- Volume 4: Draft Environmental Impact Report – Appendix J (J2B-J2D)
- Volume 5: Draft Environmental Impact Report – Appendices J (J2D to end) through M

### **Component 2: Final EIR**

As permitted in Section 15150 of the CEQA Guidelines, the Draft EIR referenced technical studies, analyses, and reports. Information from the referenced documents has been briefly summarized in the appropriate section(s) of the Draft EIR. All documents referenced in the Draft EIR are hereby incorporated by reference and are available for public inspection and review upon request to the City. A summary list of the contents of the Draft EIR is provided at the end of this chapter.

This Final EIR comprises the final component of the CEQA environmental review process for the proposed project. The Final EIR, together with the Draft EIR published in January 2015, address the potential environmental impacts of the project pursuant to CEQA, Public Resources Code Section 21000 et seq., and the CEQA Guidelines, Title 14 of the Code of California Regulation (CCR), Section 15000 et seq.

The project is subject to a program EIR because the Westgate Specific Plan constitutes a series of actions that can be characterized as one large project that is related: "...a) geographically; b) as logical parts in a chain of contemplated actions; and c) in connection with the issuance of...plans...to govern the conduct of a continuing program..." (CEQA Guidelines 15168[a]). A program EIR generally establishes a foundation for "tiered" or project-level environmental documents that may be subsequently prepared in accordance with the overall program.

The purpose of the EIR is to inform decision-makers and the general public of the potential environmental impacts resulting from the project. The City has the principal responsibility for approving the project and, as the Lead Agency, is responsible for the preparation and distribution of this Final EIR pursuant to CEQA Statute Section 21067. The EIR will be used in connection with all other permits and all other approvals necessary for the implementation of the project. The EIR will be used by the City and other responsible public agencies that must approve activities undertaken with respect to the project.

## 2. PROJECT SUMMARY

### a. Project Location

The Westgate Specific Plan encompasses 964 acres in the northwestern part of the City of Fontana within a gently sloping alluvial plain of the nearby San Gabriel Mountains in western San Bernardino County. Regionally, this project site is approximately five miles north and west of downtown Fontana, ten miles west of Downtown San Bernardino, 22 miles north of the City of Riverside, and 50 miles east of the City of Los Angeles. The project site is situated adjacent to Interstate 15 (I-15) and State Route 210 (SR-210). Full freeway interchanges that provide access to the site are located at I-15/Baseline, I-15/Summit Avenue with direct access at the SR-210/Cherry Avenue interchange. A utility corridor including Southern California Edison (SCE), Southern California Gas (SCG) and Metropolitan Water District (MWD) facilities traverses the property, paralleling the I-15 freeway.

### b. Project Background

The Westgate Specific Plan was adopted in 1996 by the City of Fontana. Since that time, the Inland Empire region has experienced substantial growth and the dynamics of the area have changed considerably. The SR-210/I-15 freeway overpass has been completed, with the SR-210 freeway extending easterly to the Interstate 215 (I-215) freeway. Two major development projects have also been completed within the Specific Plan boundary, including the Falcon Ridge Town Center, with 415,000 square feet of retail uses that include shops, services, and restaurants, and the Caltrans 124,000-square-foot Transportation Management Facility and Southern Regional Lab.

The proposed Specific Plan would result in the following changes to the allowable development within the Specific Plan boundaries: an increase of up to 4,072 residential dwelling units; a decrease of 6.4 acres of commercial uses; an increase of approximately 52 acres of parks/open space; an increase of 74 acres of public school uses; and an increase of approximately 8.5 acres of road right-of-way. The proposed Specific Plan would also slightly modify the overall Plan boundaries resulting in a net increase of five acres. This is due to the addition of three parcels comprising a triangular area at the northernmost end of the project area (Planning Areas 1, 2, and 3 in the proposed Specific Plan), the addition of one semi-circular parcel west of and adjacent to Cherry Avenue at the I-15/SR-210 interchange (Planning Area 23 in the proposed Specific Plan), and the removal of a 9.6-acre triangular piece of land located immediately east of and adjacent to San

Sevaine Road and immediately northwest of and adjacent to the existing utility corridor (Planning Area 8 in the adopted Westgate Specific Plan).

### c. Proposed Project Components

The following describes all the components of the proposed Specific Plan, including land uses, parks and recreation areas, circulation, public facilities and community services elements that would provide for the orderly development of the Westgate Specific Plan. The Westgate Specific Plan sets forth a range of land uses that focuses on creating a village-oriented mixed-use development that implements the vision, goals, policies and objectives described in the proposed new Specific Plan. The Plan provides a broad range of uses including residential, school, retail, office, business and open space uses. The retail, business and office park areas would serve to enhance the City's employment base, establish a corporate corridor, augment the city's tax revenue, and provide opportunities for people to work and shop in the same locale. The residential uses provide a range of single family detached, attached, stacked flats and multi-family homes to appeal to a broad cross-section of the market in a pedestrian-friendly village environment.

#### (1) Land Use Plan & Summary

The community is comprised of four villages. These villages, including their community structure and design, are discussed following the summary presented for each village. All of the land uses within each village are incorporated into 68 development areas, designated as "Planning Areas" (PAs). **Table 1-1, Planning Area Land Use Summary**, below, provides the total acres for each land use including total dwelling units planned. It should be noted that the City has requested that the capacity for additional residential density be provided within the Westgate Specific Plan, in order to help the City reach its State-mandated long-term housing requirements. Such additional housing could be provided on up to 20 acres within Planning Area 24 by allowing residential density up to 39 dwelling units per acre as a permitted use, but with a target density of 37.5 dwelling units per acre, for a total of up to 750 additional residential units, which would replace the planned Mixed-Use 1 land uses on that portion of the planning area. While implementation of this development scenario is not considered likely, it is nonetheless evaluated throughout this Draft EIR in order to address the potential effects of the additional housing within the Specific Plan area.

#### (a) Commercial Land Uses

The Westgate Specific Plan includes 302.4 acres of Mixed-Use and Retail uses.<sup>1</sup> These uses are located principally adjacent to the Route 210 and I-15 Freeway corridors and comprise approximately 31 percent of the 964-acre Specific Plan area. When comparing to the total combined commercial and residential planned development areas, commercial uses total over 48 percent of the Specific Plan.<sup>2</sup> A 39.4-acre community scale shopping center, Falcon Ridge Towne Center, has been constructed and is located within the Specific Plan boundaries along the I-15 corridor on Summit Avenue, with a neighborhood center planned at the northwest corner of Baseline and Cherry Avenue. The anticipated square footage of all proposed office, retail, and industrial uses within the Specific Plan is summarized below in **Table 1-2, Development Summary for Proposed Commercial Uses**.

<sup>1</sup> If high density residential uses are developed on up to 20 acres in Planning Area 24, a total of 282.4 acres of Mixed-Use and Retail uses would be provided within the Specific Plan.

<sup>2</sup> If high density residential uses are developed on up to 20 acres in Planning Area 24, commercial uses would total nearly 45% of total combined commercial and residential planned development areas in the Specific Plan.

Table 1-1

## Planning Area Land Use Summary

Land Use Description	Acres	Target Dwelling Units <sup>a</sup>
Mixed-Use 1 (MU-1)	110.2 <sup>b</sup>	
Mixed-Use 2 (MU-2)	71.6	
Mixed-Use 3 (MU-3)	69.7	
Commercial Retail (C)	50.9	
Residential-1 (R-1)	38.4	148
Residential-2 (R-2)	81.6	732
Residential-3a (R-3a)	132.5	2,029
Residential-3b (R-3b)	47.2	1,001
Residential-4 (R-4)	30.0 <sup>c</sup>	750 <sup>c</sup>
Open Space/Public Park (P1)	47.8	
Open Space/Private Park (P2)	9.15	
Open Space/Landscape (OS/L)	1.4	
Open Space/Utility Corridors (OS/UC)	96.1	
Open Space/Drainage Corridor (OS/DC)	4.1	
High School (HS)	60.0	
Elementary Schools (ES)	24.0	
Other (Major road rights-of-way)	89.3	
<b>TOTAL ACRES</b>	<b>964.0</b>	
<b>MAXIMUM DWELLING UNITS</b>		<b>4,660<sup>d</sup></b>

<sup>a</sup> Refer to Section 6.5, *Definition of Target Dwelling Units, Target Density, Density Range and Density Transfer*, in the proposed Specific Plan for discussion of Target Dwelling Units and Transfer of Dwelling Units.

<sup>b</sup> If high density residential uses are developed on up to 20 acres in Planning Area 24, total acreage of MU-1 business park uses within the Specific Plan area would be reduced by 20.0 acres to a total of 90.2 acres.

<sup>c</sup> If high density residential uses are developed on up to 20 acres in Planning Area 24, R-4 uses within the Specific Plan area would be increased by 20.0 acres to a total of 50.0 acres and 1,500 target dwelling units.

<sup>d</sup> If high density residential uses are developed on up to 20 acres in Planning Area 24, total target dwelling units within the Specific Plan area would be increased by 750 dwelling units to a total of 5,410 dwelling units.

Source: Westgate Specific Plan, 2015

## (b) Residential Land Uses

Residential land uses are located throughout the community and are designed to establish a village character. The residential uses are interconnected to the entire Westgate Community and surrounding uses through pedestrian walks and both off and on-street bicycle lanes. Approximately 329.7 acres of residential uses are planned with 4,660 total maximum dwelling units.<sup>3</sup>

<sup>3</sup> If high density residential uses are developed on up to 20 acres in Planning Area 24, a total of 349.7 acres of residential uses with 5,410 target dwelling units would be developed within the Specific Plan area.

Table 1-2

Development Summary for Proposed Commercial Uses<sup>a</sup>

	Retail (0.25 FAR) <sup>b,c</sup>	Office (0.40 FAR) <sup>b,c</sup>	Industrial (0.40 FAR) <sup>b,c</sup>
Falcon Ridge Village	446,000 SF	-	-
Westgate Center	-	1,332,937 SF <sup>d</sup>	148,104 SF <sup>d</sup>
Westgate Village	157,235 SF	779,024 SF	1,355,475 SF
Westgate Village East	-	305,442 SF	133,642 SF
<b>TOTAL</b>	<b>602,235 SF</b>	<b>2,417,403 SF <sup>e</sup></b>	<b>1,637,221 SF <sup>e</sup></b>

<sup>a</sup> Development area is described in square feet (SF)

<sup>b</sup> Floor Area Ratio (FAR) is the ratio of building floor area to total lot area.

<sup>c</sup> Planning Areas 9 and 42 (partial area) based on actual completed square feet, which includes approximately 415,000 square feet of retail uses within Falcon Ridge Village (i.e., Falcon Ridge Town Center) and approximately 124,000 square feet of industrial uses within Westgate Village (Caltrans Transportation Management Facility and Southern Regional Lab).

<sup>d</sup> If high density residential uses are developed on up to 20 acres in Planning Area 24, office and industrial uses would only be developed on the remaining 10.4 acres, which would reduce overall development of these uses within Westgate Center by 313,632 square feet of office space and 34,848 square feet of industrial space for a new total of 163,089 square feet of office uses and 18,121 square feet of industrial uses.

<sup>e</sup> If high density residential uses are developed on up to 20 acres in Planning Area 24, total office and industrial development within the Specific Plan would be 2,103,771 square feet and 1,602,373 square feet, respectively.

Source: Westgate Specific Plan, 2014

## (2) Site Access and Circulation

The proposed project's circulation plan was prepared based upon the traffic study prepared for this Specific Plan. It identifies the major transportation corridors and street alignments required within the Specific Plan project area.

The Westgate Specific Plan project area is located adjacent to the I-15 Freeway and SR-210. The I-15 freeway major interstate transportation corridor connects San Diego with Las Vegas. It includes a High Occupancy Vehicle lane and four travel lanes in each direction. It provides excellent regional access to other nearby interstate freeways, including the SR-210, I-215, I-10 and SR-60 freeways. Access to the Westgate Specific Plan from the I-15 occurs at Baseline Avenue and Summit Avenue. The SR-210 Freeway connects from Los Angeles to the west and Redlands to the east. It has a High Occupancy Vehicle lane and four travel lanes in each direction. It also provides excellent regional access to other nearby interstate freeways, including the I-15, I-215, I-10 and I-60 Freeways. The Cherry Avenue/SR-210 interchange provides direct access into the Westgate Specific Plan.

Local streets are not shown on the Circulation Plan and would be provided on a parcel by parcel basis when applications for development occur. The Local Street classification with a 36 feet curb-to-curb section may be restricted to cul-de-sac and short local streets (public or private) as required by the Fire Department.

The Local Street classification of 40 feet wide curb-to-curb shall be used for local collector streets or backbone streets which exceed the above standards. In both cases, both sides of the street feature a five-foot-wide street-adjacent landscape area and a five-foot-wide sidewalk. When there is a residential rear or side yard condition and/or a community theme wall an additional ten-foot landscape easement, as measured to back of sidewalk, shall be provided. When a residential unit fronts onto a collector street no landscape easement is required.

### **(3) Landscaping**

The proposed Westgate Specific Plan provides extensive landscaping along proposed roadways throughout the Specific Plan area. Additionally, development of the various proposed land uses within each Planning Area would be subject to the landscaping requirements provided in Section 5.0, *Community Design Guidelines*, of the proposed Specific Plan. The design guidelines prescribe the type, amount, and location of landscaping for structures, roadways, access points, and parking lots for all future development occurring within the Specific Plan area.

### **d. Sustainability Features**

The proposed Westgate Specific Plan includes a number of sustainability features that are intended to minimize the development's impacts on the environment. Such features that the applicant has committed to implementing include the following:

- SF-1:** By providing jobs near housing, with retail, parks and schools within walking distance of compact residential villages, the Westgate Specific Plan residents would have less reliance on the automobile. This in turn would result in reduced vehicular emissions and an overall healthier community.
- SF-2:** The Westgate Specific Plan would also become one of the first large scale planned communities in the Inland Empire to meet one of the nation's first mandatory green building standards code (CalGreen). These comprehensive regulations were adopted by the State of California and went into effect as of January 1, 2011. By adhering to these regulations, the Westgate Specific Plan would achieve significant reductions in greenhouse gas emissions, energy consumption and water use. CalGreen, for example, requires that every new building constructed in California reduce water consumption by 20 percent, divert 50 percent of construction waste from landfills and install low pollutant-emitting materials. It also requires separate water meters for nonresidential buildings' indoor and outdoor water use, with a requirement for moisture-sensing irrigation systems for large scale landscape projects and mandatory inspections of energy systems (e.g., heat furnace, air conditioner and mechanical equipment) for non-residential buildings over 10,000 square feet designed to ensure that all are working at their maximum capacity and according to their design efficiencies.
- SF-3:** In order to further conserve resources, in addition to the above, the Westgate Specific Plan is designed to use recycled water for landscape irrigation in public parks and rights of ways. The Inland Empire Utilities Agency (IEUA) is in the process of building a regional recycled water system to serve the Westgate Specific Plan and other areas in Fontana.

**SF-4:** The Westgate Specific Plan infrastructure plans require that a reclaimed water “purple pipe” system be installed in medians for all major streets, parkways and public parks. It would be connected to the IEUA recycled water system upon its completion.

### e. Construction Schedule and Phasing

Construction of the project would be phased in an orderly manner, with full buildout of the Specific Plan anticipated to occur by 2035. Each of the four villages may be developed concurrently or in any sequence provided that all infrastructure required to serve each area is provided to the satisfaction of the City engineering department. The timing of each area would be subject to local, regional, and national market conditions. However, the project Applicant has identified the project components to be implemented as part of the first phase of development, which is anticipated to be constructed and operational by 2018. Phase 1 development would include uses proposed within each of the four villages, which are intended to complement existing on- and off-site development and minimize the need for expanded infrastructure facilities in the short-term. A summary of uses to be developed as part of Phase 1 is provided below in **Table 1-3, Phase 1 Development Summary**.

### f. Necessary Approvals

Approvals required for development of the Westgate Specific Plan Project would include, but may not be limited to, the following:

- Adoption of the new Westgate Specific Plan;
- Amendment to the City of Fontana General Plan to reflect the new Specific Plan (including amending the General Plan Land Use Map and the Circulation Element for proposed roadway classifications);
- Amendment to the City of Fontana Zoning Ordinance;
- Certification of an Environmental Impact Report; and
- Development Agreement.

### g. Project Objectives

The following describes the objectives of the proposed project, which are provided in the proposed Specific Plan as “Specific Plan Goals,” and are intended to implement the Plan’s Community Planning Vision. The Specific Plan Goals are as follows:

**Goal 1:** In order to create a vibrant community, incorporate a rich diversity of uses including retail, office, business park, residential, schools, parks, trails, and open space uses.

**Goal 2:** Create organizing elements that provide a community identity and opportunity for social interaction.

**Goal 3:** Develop a plan that generates employment opportunities and improves the city’s tax base.

**Goal 4:** Develop a plan that establishes a corporate corridor.

Table 1-3

## Phase 1 Development Summary

Planning Area	Land Use	Acres	Density Range	Target Density	Target DU
<b>COMMERCIAL RETAIL</b>					
68	Commercial Retail	11.5			
<b>BUSINESS PARK</b>					
41	Mixed-Use 2	71.6			
<b>RESIDENTIAL</b>					
2	R-3a	5.2	12.1-18.0	14.0	73
6	R-2	17.4	5.1-12.0	9.0	156
8	R-3a	26.0	12.1-18.0	18.0	468
22	R-1	28.7	0-5.0	3.8	110
36	R-3b	24.2	18.1-24.0	20.5	495
38	R-3a	11.7	12.1-18.0	15.0	175
58	R-2	3.4	5.1-12.0	9.0	30
63	R-2	13.6	5.1-12.0	9.0	122
64	R-3a	9.2	12.1-18.0	15.0	138
	<b>Subtotal</b>	<b>139.4</b>			<b>1,767</b>
<b>PARKS/OPEN SPACE</b>					
1	Open Space/Utility Corridor	2.2			
3	Open Space/Utility Corridor	1.5			
4	Open Space/Public Park	2.9			
5	Open Space/Landscape	1.4			
6a	Open Space/Private Park	0.3			
8a	Open Space/Private Park	1.0			
10	Open Space/Public Park	14.5			
21	Open Space/Utility Corridor	17.2			
35	Open Space/Private Park	0.65			
37	Open Space/Private Park	2.8			
56	Open Space/Utility Corridor	3.8			
57	Open Space/Utility Corridor	20.4			
59	Open Space/Private Park	1.0			
60	Open Space/Public Park	13.1			
61	Open Space/Public Park	2.7			
62	Open Space/Public Park	1.1			
	<b>Subtotal</b>	<b>86.55</b>			
<b>OTHER</b>					
7	Elementary School	12.0			
<b>TOTAL*</b>		<b>321.05</b>			<b>1,767</b>

Source: Westgate Specific Plan, 2014

**Goal 5:** Create pedestrian friendly connectivity to main activity nodes, including employment, shopping, schools and recreation.

**Goal 6:** Create a diversity of housing types within a high amenity setting.

**Goal 7:** Create a village structure.

**Goal 8:** Provide quality master planning, architectural and landscape architectural standards.

**Goal 9:** Develop a compact community to promote a healthy village character, enhance sustainability and conserve resources.

**Goal 10:** Create a community with a high quality of life.

### 3. ENVIRONMENTAL REVIEW PROCESS

This Final EIR has been prepared to meet all of the substantive and procedural requirements of CEQA (California Public Resources Code [PRC] Sections 21000 et seq.), as amended; California CEQA Guidelines (California Code Regulations Title 14, Sections 15000 et seq.); and the rules, regulations and procedures for the implementation of CEQA as executed by DTSC. Accordingly, DTSC has been identified as the Lead Agency for this Project, taking primary responsibility for conducting the environmental review process and approving or denying the Project.

In compliance with the *CEQA Guidelines*, DTSC has provided opportunities for the public to participate in the environmental review process. During the preparation of the Draft EIR, an effort was made to contact various Federal, State, regional, and local government agencies and other interested parties to solicit comments and inform the public of the Project. This included, as further described below, the distribution of a Community Notice and Notice of Preparation (NOP), as well as two public scoping meetings.

#### a. Initial Study/Notice of Preparation

In accordance with Section 15063(a) of the *CEQA Guidelines*, the City undertook the preparation of an Initial Study. The Initial Study determined that a number of environmental issue areas may be impacted by project implementation. As a result, the Initial Study determined that the Draft EIR should address the project's potentially significant impacts on a variety of environmental issue areas (listed below).

Pursuant to the provision of Section 15082 of the *CEQA Guidelines*, the City circulated a NOP to public agencies, special districts, and members of the public for a 30-day period commencing July 12, 2013 and ending August 10, 2013. The purpose of the NOP was to formally convey that the City is preparing a Draft EIR for the project, and to solicit input regarding the scope and content of the environmental information to be included in the EIR. The Initial Study was circulated with the NOP. The NOP, Initial Study, and responses to the NOP are provided in Appendix A, *Initial Study/Notice of Preparation/NOP Comment Letters*, of the Draft EIR.

#### b. NOP and Scoping Results

The City advertised a notice of public scoping meeting for the project, which was held on Thursday, July 18, 2013 in the Development Services Building at Fontana City Hall, 8353 Sierra Avenue, Fontana, California 92335. The meeting was held with the specific intent of affording interested individuals/groups and public agencies to assist the lead agency in determining the scope and focus of the EIR as described in the NOP and Initial Study.

Comments received on the NOP were from OmniTrans, the Cucamonga Valley Water District (CVWD), the California Governor's Office of Planning and Research (OPR), the California Native American Heritage Commission (NAHC), the California Department of Fish and Wildlife (CDFW), the California Department of Transportation (Caltrans), the Southern California Association of Governments (SCAG), the South Coast Air

Quality Management District (SCAQMD), and the Metropolitan Water District of Southern California (MWD), as well as one individual, Mr. Erik Milham. The NOP comments are contained in Appendix A of the Draft EIR.

### c. Draft EIR

The Draft EIR focused primarily on changes in the environment that would result from the proposed project. The Draft EIR identified potentially significant impacts resulting from the construction and operation of the proposed project and provided measures to mitigate potential significant impacts. Based on the Initial Study prepared in association with the NOP and comments received during the public review period, the Draft EIR addressed the impacts associated with the following environmental topics:

- Aesthetics;
- Agriculture and Forestry Resources
- Air Quality;
- Biological Resources;
- Cultural Resources;
- Geology/Soils;
- Greenhouse Gas Emissions;
- Hazards and Hazardous Materials
- Hydrology/Water Quality;
- Land Use and Planning;
- Noise;
- Population and Housing
- Public Services
- Recreation;
- Transportation/Traffic; and
- Utilities and Service Systems

For each of the environmental issues described above, the Project's potential to result in direct, indirect and cumulative impacts were addressed, and feasible mitigation measures were provided where necessary to address significant impacts. Section 6.0, *Other Mandatory CEQA Considerations*, in the Draft EIR includes a discussion of those environmental issues where the characteristics of the Project made it clear that impacts would not be significant and further evaluation of such issues in the EIR was not necessary.

The Draft EIR was subject to a 45-day review period by responsible and trustee agencies and interested parties. In accordance with the provision of Sections 15085(a) and 15087(a)(1) of the *CEQA Guidelines*, the City, serving as the Lead Agency: 1) distributed a Notice of Availability of the Draft EIR to affected public agencies and other interested parties, which stated that the Draft EIR was available for review at: City of Fontana, Development Services Department, 8353 Sierra Avenue, Fontana, California 92335; and at the Lewis Library located at 8437 Sierra Avenue, Fontana, California 92335; 2) prepared and transmitted a

Notice of Completion (NOC) to the State Clearinghouse; and 3) sent notices to the last known name and address of all organizations and individuals who have previously requested such notice in writing. All comments on the Draft EIR were to be addressed to:

DiTanyon Johnson, Associate Planner  
City of Fontana  
Development Services Organization  
8353 Sierra Avenue  
Fontana, California 92335  
Or via email at: [djohnson@fontana.org](mailto:djohnson@fontana.org)

The NOA indicated that an informational public meeting on the EIR environmental review process would be held on March 3, 2015 during the Planning Commission meeting at 6:00 pm in the City Hall Council Chambers at 8353 Sierra Avenue, Fontana, California 92335. During the public meeting held on March 3, 2015, the City provided the public with an opportunity to provide comments on the Draft EIR. All public comments received at the meeting on the Draft EIR have been responded to in Section 2.0 of this Final EIR.

The public comment period for the Draft EIR ended on March 6, 2015. A list of those providing public comment on the Draft EIR, along with a breakdown of individual comments and responses to those comments by the City, is provided in Section 2.0, *Comments and Responses on the Draft EIR*, in this Final EIR.

#### **d. Final EIR**

The contents of this Final EIR are summarized in sub-section 1, *Purpose and Content of the Final EIR*, above, and described in more detail in sub-section 5, *Contents of the Final EIR/EIR Organization*, below.

After this Final EIR is completed, and at least 10 days prior to its certification, a copy of the response to comments on the Draft EIR will be provided or made available to all commenting parties.

According to PRC Section 21081, the Lead Agency must make specific Findings of Fact (Findings) before approving the Final EIR, when the EIR identifies significant environmental impacts that may result from a project. The purpose of the Findings is to establish the link between the contents of the Final EIR and the action of the Lead Agency with regard to approval or rejection of the Project. Prior to approval of a project, one of three findings must be made, as follows:

- Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Environmental impacts may not always be mitigated to a less than significant level. When this occurs, impacts are considered significant and unavoidable. Since the City has concluded that the Project would

result in significant and unavoidable effects, which are identified in the Draft EIR, and re-stated below, the City must adopt a "Statement of Overriding Considerations" prior to approval of the Project in compliance with PRC Section 21081. Such statements are intended under CEQA to provide a written means by which DTSC balances the benefits of the Project and the significant and unavoidable environmental impacts. Where the City concludes that the economic, legal, social, technological, or other benefits outweigh the unavoidable environmental impacts, the City may find such impacts "acceptable" and approve the Project. The Facts and Findings document will be prepared under separate cover from this Final EIR.

## 4. SUMMARY OF SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL IMPACTS EVALUATED IN THE DRAFT EIR

Tables ES-4, *Summary of Project Impacts and Mitigation Measures*, in the Executive Summary of the Draft EIR, provides a summary of impacts, mitigation measures, and impacts after implementation of the mitigation measures associated with implementation of the Project.

Section 15126.2(b) of the CEQA Guidelines requires that an EIR describe significant environmental impacts that cannot be avoided, including those effects that can be mitigated but not reduced to a less than significant level. As shown in Table ES-1 and as analyzed in Section 4.B, Agriculture and Forestry Resources, Section 4.C, Air Quality, Section 4.E, Cultural Resources, and Section 4.K, Noise, even with the incorporation of mitigation measures to reduce the significance of impacts, significant unavoidable impacts regarding agricultural resources, air quality, historic resources, and noise would result from project implementation. The following summarizes the significant unavoidable impacts identified in the Draft EIR:

**Agriculture and Forestry Resources:** Implementation of the proposed project would accelerate the conversion of agricultural lands and loss of agricultural uses within the City and in the region. The loss of agricultural lands is considered significant on the project site and also considered cumulatively considerable from a regional perspective. Please refer to Section 4.B, *Agriculture and Forestry Resources*, of this Draft EIR for further discussion of this topic.

**Air Quality:** Even with the implementation of the recommended mitigation measures during construction activities, the project would, on a temporary basis, exceed the SCAQMD regional significance thresholds for NO<sub>x</sub> and PM<sub>10</sub> during the most intense construction periods. Although these impacts would be short-term in nature, construction-related impacts to air quality would be significant and unavoidable. Similarly, air pollutant emissions associated with increase vehicular traffic during project operations would exceed established thresholds, resulting in significant and unavoidable operational air quality impacts. Further, based on the proximity of sensitive land uses (i.e., residences) to major freeway thoroughfares at some locations on-site, exposure to toxic air contaminants (TACs) would also be considered a significant unavoidable air quality impact. Given these construction-related and operational physical air quality impacts, the proposed project would also result in conflicts with the applicable Air Quality Management Plan, which is also considered a significant unavoidable impact. Please refer to Section 4.C, *Air Quality*, of this Draft EIR for further discussion of this topic.

**Cultural Resources:** Even with the implementation of the recommended mitigation measures, implementation of the proposed Specific Plan could result in the permanent loss of existing historic resources on the project site. As such, impacts to historic resources would be significant and unavoidable. Please refer to Section 4.E, *Cultural Resources*, of this Draft EIR for further discussion of this topic.

**Noise:** Even with the implementation of the recommended mitigation measures, long-term operational noise associated with increase vehicular traffic would exceed acceptable noise levels at the nearest noise-sensitive receptors in the project area, and no additional mitigation measures are available to reduce the significance of such impacts. As such, noise impacts associated operation of proposed uses would be significant and unavoidable. Please refer to Section 4.K, *Noise*, of this Draft EIR for further discussion of this topic.

## 5. CONTENTS OF THE FINAL EIR/EIR ORGANIZATION

### Final EIR

This Final EIR is organized into the following chapters:

- 1.0 **Introduction.** This chapter of the Final EIR provides overview information regarding the purpose and structure of the Draft EIR and Final EIR (collectively, the EIR), as well as a summary of the project characteristics, its impacts and mitigation measures.
- 2.0 **Comments and Responses on the Draft EIR and REIR.** This chapter includes a list of those providing comments on the Draft EIR; a matrix that indicates the environmental issues that were addressed in each of the written comments that were presented to the City during the public review period; copies of all comment letters received by the City; and City responses to each of the public comments, including those presented orally during the March 3, 2015 public hearing.
- 3.0 **Corrections and Additions to the Draft EIR and REIR.** This chapter presents a list of revisions that have been made to the Draft EIR, based on comments received from the public and agencies, and other items requiring updating and/or corrections.
- 4.0 **Mitigation Monitoring and Reporting Program (MMRP).** This chapter provides the project's MMRP, which is the document used by the enforcement and monitoring agencies responsible for the implementation of the proposed project's mitigation measures. Mitigation measures are listed by environmental topic, and for each mitigation measure, the following is defined: phase of implementation, frequency and/or duration of required monitoring, and the enforcement/reporting agency.

In addition, as stated above, the Final EIR incorporates by reference the Draft EIR and associated appendices. These documents are summarized below.

### Draft EIR

The Draft EIR includes an Executive Summary and eight sections as well as appendices, which are organized as follows:

**Executive Summary.** This section presents a summary of the project and alternatives, potential impacts and mitigation measures, and impact conclusions regarding significant unavoidable adverse impacts and effects not found to be significant. This section also summarizes the issues raised in the NOP comment letters regarding the scope and content of the EIR under the "Areas of Controversy/Issues to be Resolved" subheading.

1. **Introduction.** This chapter provides a description of the purpose of the EIR, CEQA compliance information relative to the project and the EIR, a brief overview of the environmental review process, and an outline of the organization of the EIR.
2. **Project Description.** This chapter describes the location, details and objectives for the project.
3. **Basis for Cumulative Analysis.** This chapter contains a list of related projects anticipated to be built within the project vicinity.
4. **Environmental Impact Analysis.** This chapter contains the environmental setting, project and cumulative impact analyses, mitigation measures, and conclusions regarding the level of significance after mitigation for each of the following environmental issues: Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use, Noise, Population and Housing, Public Services, Transportation/Traffic and Utilities and Service Systems.
5. **Alternatives.** This chapter evaluates the environmental effects of the Project alternatives, including the No Project Alternative. It also identifies the environmentally superior project.
6. **Other Mandatory CEQA Considerations.** This chapter includes a discussion of issues required by CEQA that are not covered in other sections. This includes discussions of unavoidable adverse impacts, impacts found not to be significant, irreversible environmental changes, potential secondary effects caused by the implementation of the mitigation measures for the Project, and growth inducing impacts.
7. **References.** This chapter lists all the references utilized in preparation of the EIR.
8. **List of Preparers.** This chapter lists all of the persons that contributed to the preparation of the EIR and the Lead Agency.

The Draft EIR includes the environmental analysis prepared for the project and appendices as follows:

- Appendix A – Initial Study/Notice of Preparation/NOP Comment Letters
- Appendix B – Air Quality Technical Appendix
- Appendix C – Biological Resources Assessment
- Appendix D – Cultural Resources Assessment
- Appendix E – Preliminary Geotechnical Evaluation
- Appendix F – Greenhouse Gas Emissions Inventory and Reduction Plan/GHG Technical Appendix
- Appendix G – Hazardous Materials Assessment
- Appendix H – Hydrology and Water Quality Technical Report
- Appendix I – Noise Technical Appendix
- Appendix J – Traffic Impact Analysis

- Appendix K – Water Supply Assessments
- Appendix L – Westgate Specific Plan Infrastructure Study
- Appendix M – Land Evaluation and Site Assessment Model

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## 2.0 COMMENTS AND RESPONSES

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### 1. INTRODUCTION

CEQA Guidelines Section 15088(a) states that “The lead agency shall evaluate comments on environmental issues received from persons who reviewed the Draft EIR and shall prepare a written response. The lead agency shall respond to comments that were received during the noticed comment period and any extensions . . .” In accordance with these requirements, this Chapter of the Final EIR provides responses to written comments received during the public comment period and oral comments at the public meeting held on December 16, 2013 regarding the Draft EIR. **Table 2-1, Summary of Comments on the Draft EIR**, provides a list of the comments received and indicates the primary environmental topics raised in response to the Draft EIR.

Comments received during public comment period were received from Federal, State, regional/county, and local agencies, as well as from individuals as listed on Table 2-1. The individual letters (or correspondence) with comments requiring responses are included within this section. Each letter in this section is assigned a letter name (i.e., Letter A, Letter B, etc.), with the letters grouped by agency type (Federal, State, regional/county, or local), or individual. Each comment within a letter that requires a response is bracketed and assigned a number, which is shown in the side margin. For example, the first and only Federal agency to provide comments was the U.S. Fish and Wildlife Service (USFWS), and this is Letter A. The comments in that letter are numbered 1 to 7. Following each bracketed letter, correspondingly numbered responses from the City are provided that address each of the comments. For Letter A, the responses include Response A-1 to A-7. Where responses result in a change to the Draft EIR, it is noted, and the resulting change is identified in Chapter 3.0, *Corrections and Additions to the Draft EIR*, of this Final EIR.

As required by the CEQA Guidelines, Section 15088 (c), the focus of the responses to comments is on “the disposition of significant environmental issues raised.” Therefore, some comments that are introductory or provide background information about the commenter are not included as bracketed comments since no response is necessary.

Table 2-1

## Summary of Comments on the Draft EIR

LETTER NAME	Commentor	PROJECT DESCRIPTION	BASIS FOR CUMULATIVE ANALYSIS	4.A. AESTHETICS/VISUAL RESOURCES	4.B. AGRICULTURE AND FORESTRY RESOURCES	4.C. AIR QUALITY	4.D. BIOLOGICAL RESOURCES	4.E. CULTURAL RESOURCES	4.F. GEOLOGY AND SOILS	4.G. GREENHOUSE GAS EMISSIONS	4.H. HAZARDS AND HAZARDOUS MATERIALS	4.I. HYDROLOGY AND WATER QUALITY	4.J. LAND USE	4.K. NOISE	4.L. POPULATION AND HOUSING	4.M. PUBLIC SERVICES	4.N. TRANSPORTATION/TRAFFIC	4.O. UTILITIES AND SERVICE SYSTEMS	5.O. ALTERNATIVES	6.O. OTHER MANDATORY CEQA CONSIDERATIONS	EXPLANATION OF OTHER
<b>Public Agencies</b>																					
<b>Federal</b>																					
A	U.S. Fish and Wildlife Service <b>Geary W. Hund</b> Palm Springs Office 777 E. Tahquitz Canyon Way Pal Springs, CA 92262 (March 6, 2015)					X															
<b>State</b>																					
B	California Fish and Wildlife Service <b>Leslie MacNair, Acting Regional Manager</b> Inland Deserts Region 3602 Inland Empire Blvd., Suite C-220 Ontario, CA 91764 (March 4, 2015)					X															

Table 2-1 (Continued)

## Summary of Comments on the Draft EIR

LETTER NAME	Commentor	PROJECT DESCRIPTION
C	<p>California Department of Conservation  <b>Molly A Penberth, Manager</b>  Division of Land Resource Protection  Conservation Support Unit  801 K Street  Sacramento, CA 95814  (March 6, 2015)</p>	<p>BASIS FOR CUMULATIVE ANALYSIS</p> <p>4.A. AESTHETICS/VISUAL RESOURCES</p> <p><b>X</b> 4.B. AGRICULTURE AND FORESTRY RESOURCES</p> <p>4.C. AIR QUALITY</p> <p>4.D. BIOLOGICAL RESOURCES</p> <p>4.E. CULTURAL RESOURCES</p> <p>4.F. GEOLOGY AND SOILS</p> <p>4.G. GREENHOUSE GAS EMISSIONS</p> <p>4.H. HAZARDS AND HAZARDOUS MATERIALS</p> <p>4.I. HYDROLOGY AND WATER QUALITY</p> <p>4.J. LAND USE</p> <p>4.K. NOISE</p> <p>4.L. POPULATION AND HOUSING</p> <p>4.M. PUBLIC SERVICES</p> <p>4.N. TRANSPORTATION/TRAFFIC</p> <p>4.O. UTILITIES AND SERVICE SYSTEMS</p> <p>5.O. ALTERNATIVES</p> <p>6.O. OTHER MANDATORY CEQA CONSIDERATIONS</p>
D	<p>Governor's Office of Planning and Research  <b>Scott Morgan, Director</b>  State Clearinghouse  1400 10<sup>th</sup> Street  Sacramento, CA 95812-3044  (January 6, 2014)</p>	<p>EXPLANATION OF OTHER</p> <p>CEQA Compliance</p>

Table 2-1 (Continued)

## Summary of Comments on the Draft EIR

LETTER NAME	Commentor	PROJECT DESCRIPTION
E	Governor's Office of Planning and Research <b>Scott Morgan, Director</b> State Clearinghouse 1400 10 <sup>th</sup> Street Sacramento, CA 95812-3044 (January 6, 2014)	BASIS FOR CUMULATIVE ANALYSIS 4.A. AESTHETICS/VISUAL RESOURCES 4.B. AGRICULTURE AND FORESTRY RESOURCES 4.C. AIR QUALITY 4.D. BIOLOGICAL RESOURCES 4.E. CULTURAL RESOURCES 4.F. GEOLOGY AND SOILS 4.G. GREENHOUSE GAS EMISSIONS 4.H. HAZARDS AND HAZARDOUS MATERIALS 4.I. HYDROLOGY AND WATER QUALITY 4.J. LAND USE 4.K. NOISE 4.L. POPULATION AND HOUSING 4.M. PUBLIC SERVICES 4.N. TRANSPORTATION/TRAFFIC 4.O. UTILITIES AND SERVICE SYSTEMS 5.O. ALTERNATIVES 6.O. OTHER MANDATORY CEQA CONSIDERATIONS EXPLANATION OF OTHER
F	California Department of Transportation (Caltrans) <b>Mark Roberts, Office Chief</b> District 8, Planning (MS 722) 464 West 4 <sup>th</sup> Street, 6 <sup>th</sup> Floor San Bernardino, CA 92401-1400 (April 13, 2015)	
<b>Regional/County</b>		CEQA Compliance

Table 2-1 (Continued)

## Summary of Comments on the Draft EIR

LETTER NAME	Commentor	PROJECT DESCRIPTION
G	Omnitrans <b>Anna Rahtz Jaiswal, Development Planning Manager</b> 1700 W. Firth Street San Bernardino, CA 92411 (February 13, 2015)	BASIS FOR CUMULATIVE ANALYSIS 4.A. AESTHETICS/VISUAL RESOURCES 4.B. AGRICULTURE AND FORESTRY RESOURCES 4.C. AIR QUALITY 4.D. BIOLOGICAL RESOURCES 4.E. CULTURAL RESOURCES 4.F. GEOLOGY AND SOILS 4.G. GREENHOUSE GAS EMISSIONS 4.H. HAZARDS AND HAZARDOUS MATERIALS 4.I. HYDROLOGY AND WATER QUALITY 4.J. LAND USE 4.K. NOISE 4.L. POPULATION AND HOUSING 4.M. PUBLIC SERVICES 4.N. TRANSPORTATION/TRAFFIC 4.O. UTILITIES AND SERVICE SYSTEMS 5.O. ALTERNATIVES 6.O. OTHER MANDATORY CEQA CONSIDERATIONS EXPLANATION OF OTHER
H	South Coast Air Quality Management District <b>Jillian Wong, Ph.D, Program Supervisor</b> Planning, Rule Development & Area Sources 21865 Copley Drive Diamond Bar, CA 91765-4178 (March 5, 2015)	X

Table 2-1 (Continued)

## Summary of Comments on the Draft EIR

LETTER NAME	Commentor	PROJECT DESCRIPTION
I	County of San Bernardino Department of Public Works <b>Nidham Aram Alrayes</b> <b>Public Works Engineer II</b> 825 East Third Street, San Bernardino, CA 92415-0835 (March 5, 2015)	<input type="checkbox"/> BASIS FOR CUMULATIVE ANALYSIS <input type="checkbox"/> 4.A. AESTHETICS/VISUAL RESOURCES <input type="checkbox"/> 4.B. AGRICULTURE AND FORESTRY RESOURCES <input type="checkbox"/> 4.C. AIR QUALITY <input checked="" type="checkbox"/> 4.D. BIOLOGICAL RESOURCES <input type="checkbox"/> 4.E. CULTURAL RESOURCES <input type="checkbox"/> 4.F. GEOLOGY AND SOILS <input type="checkbox"/> 4.G. GREENHOUSE GAS EMISSIONS <input type="checkbox"/> 4.H. HAZARDS AND HAZARDOUS MATERIALS <input checked="" type="checkbox"/> 4.I. HYDROLOGY AND WATER QUALITY <input type="checkbox"/> 4.J. LAND USE <input type="checkbox"/> 4.K. NOISE <input type="checkbox"/> 4.L. POPULATION AND HOUSING <input type="checkbox"/> 4.M. PUBLIC SERVICES <input checked="" type="checkbox"/> 4.N. TRANSPORTATION/TRAFFIC <input type="checkbox"/> 4.O. UTILITIES AND SERVICE SYSTEMS <input type="checkbox"/> 5.O. ALTERNATIVES <input type="checkbox"/> 6.O. OTHER MANDATORY CEQA CONSIDERATIONS
J	Southern California Edison <b>Jennifer Shaw, Local Public Affairs Region Manager</b> 795 Redwood Avenue Fontana, CA 92336 (March 6, 2015)	
K	SoCalGas <b>Anthony A. Klecha</b> 555 Fifth Street Los Angeles, CA 90013	EXPLANATION OF OTHER Electrical Facilities Natural Gas Lines

Table 2-1 (Continued)

## Summary of Comments on the Draft EIR

LETTER NAME	Commentor	PROJECT DESCRIPTION	Summary of Comments on the Draft EIR															EXPLANATION OF OTHER
			BASIS FOR CUMULATIVE ANALYSIS	4.A. AESTHETICS/VISUAL RESOURCES	4.B. AGRICULTURE AND FORESTRY RESOURCES	4.C. AIR QUALITY	4.D. BIOLOGICAL RESOURCES	4.E. CULTURAL RESOURCES	4.F. GEOLOGY AND SOILS	4.G. GREENHOUSE GAS EMISSIONS	4.H. HAZARDS AND HAZARDOUS MATERIALS	4.I. HYDROLOGY AND WATER QUALITY	4.J. LAND USE	4.K. NOISE	4.L. POPULATION AND HOUSING	4.M. PUBLIC SERVICES	4.N. TRANSPORTATION/TRAFFIC	4.O. UTILITIES AND SERVICE SYSTEMS
Local																		
L	City of Fontana – Police Department <b>Wendy Ratcliffe, Community Policing Technician</b> (February 25, 2015)														X			
M	City of Rancho Cucamonga – Planning Department <b>Candyce Burnett, Planning Director</b> 10500 Civic Center Drive Rancho Cucamonga, CA 91730 (March 3, 2015)										X			X	X			
N	Fontana Water Company <b>Robert K. Young, General Manager</b> 15966 Arrow Avenue P.O. Box 987 Fontana, CA 92334 (March 5, 2015)														X			

Table 2-1 (Continued)

## Summary of Comments on the Draft EIR

LETTER NAME	Commentor	PROJECT DESCRIPTION	BASIS FOR CUMULATIVE ANALYSIS	4.A. AESTHETICS/VISUAL RESOURCES	4.B. AGRICULTURE AND FORESTRY RESOURCES	4.C. AIR QUALITY	4.D. BIOLOGICAL RESOURCES	4.E. CULTURAL RESOURCES	4.F. GEOLOGY AND SOILS	4.G. GREENHOUSE GAS EMISSIONS	4.H. HAZARDS AND HAZARDOUS MATERIALS	4.I. HYDROLOGY AND WATER QUALITY	4.J. LAND USE	4.K. NOISE	4.L. POPULATION AND HOUSING	4.M. PUBLIC SERVICES	4.N. TRANSPORTATION/TRAFFIC	4.O. UTILITIES AND SERVICE SYSTEMS	5.O. ALTERNATIVES	6.O. OTHER MANDATORY CEQA CONSIDERATIONS	EXPLANATION OF OTHER
O	Rancho Cucamonga Fire Protection District <b>Rob Ball, Fire Marshall</b> 10500 Civic Center Drive Rancho Cucamonga, CA 91730 (March 6, 2015)					X							X	X		X	X				
<b>Individuals</b>																					
P	<b>Planning Commission Hearing</b> (March 3, 2015)					X							X	X		X	X				

## Letter A

### **David Crook**

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**From:** DiTanyon Johnson <djohnson@fontana.org>  
**Sent:** Monday, March 09, 2015 7:57 AM  
**To:** David Crook  
**Subject:** FW: Comments on the Draft Environmental Impact Report for the Westgate Specific Plan

FYI

**From:** Hund, Geary [mailto:[geary\\_hund@fws.gov](mailto:geary_hund@fws.gov)]  
**Sent:** Friday, March 06, 2015 7:52 PM  
**To:** DiTanyon Johnson  
**Cc:** Karin Cleary-Rose  
**Subject:** Comments on the Draft Environmental Impact Report for the Westgate Specific Plan

In Reply Refer To: FWS-SB-15B0149-CPA0174

Mr. DiTanyon Johnson  
Associate City Planner  
City of Fontana  
Development Services Organization  
8353 Sierra Avenue  
Fontana, California 92335

Subject: Draft Environmental Impact Report for the Westgate Specific Plan, San Bernardino County, Fontana, California

Dear Mr. Johnson:

The U.S. Fish and Wildlife Service (Service) has reviewed the subject Draft Environmental Impact Report (DEIR) for the proposed Westgate Specific Plan Project (Project).

The DEIR was prepared to identify the proposed project's direct, indirect, and cumulative environmental impacts, to discuss alternatives, and to propose mitigation measures that avoid, minimize, or offset significant environmental impacts. The primary concern and mandate of the Service is the protection of fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 et seq.). We are providing the following comments as they relate to the Project's effects on wildlife resources and species listed under the Act.

The Project encompasses 964 acres in the northwestern part of the City of Fontana within an alluvial plain created by Lytle Creek. It includes residential and commercial development, parks, open space and schools. The Service has concerns regarding the completeness of the analysis of impacts to biological resources provided in the DEIR. In particular we found the DEIR did not properly analyze

direct and indirect adverse effects to species listed as threatened or endangered under the Act. Following are our specific comments on this and other issues.

2  
(cont.)

### San Bernardino Kangaroo Rat

The DEIR states that San Bernardino kangaroo rat (*Dipodomys merriami* parvus, SBKR) "is not expected to occur in the study area," because of "a lack of suitable habitat and limited occurrences in the study area vicinity." We disagree with the finding that there is lack of suitable habitat. While much of the site has been altered and disturbed by discing and past agricultural use, and there is ruderal (weedy) vegetation, there are intact areas of suitable habitat, e.g., Riversidean alluvial fan sage scrub (RAFSS) and Riversidean sage scrub (RSS), and other areas, while somewhat degraded, which contain elements of these plant communities. Moreover, SBKR have been detected in the full range of habitat types within their historic range (Braden and McKernan 2000), including all phases of RAFSS, coastal sage scrub (also known as RSS), disturbed sites, sites containing non-native annual grasses and other ruderal vegetation, and sites containing up to 100 percent perennial shrub cover.

As part of its evaluation of the status of SBKR in the Project area, the DEIR references and relies upon a "site assessment for SBKR" conducted by Dr. Michael O'Farrell. It references his findings stating that "no diagnostic or residents of SBKR were found on or adjacent to the study area, and habitat present on-site excludes the potential for occupation by SBKR." There are several issues with Dr. O'Farrell's findings; 1) Suitable habitat is present; 2) SBKR have been trapped where no diagnostic sign was detected (Braden and McKernan 2000); and 3) where heteromyid (kangaroo rat) sign is present (as on much of Project site as reported by Dr. O'Farrell), it has not been demonstrated that it is possible to discern with complete accuracy between SBKR and Dulzura kangaroo rat sign. SBKR and Dulzura kangaroo rats are frequently found in the same location and trapping is the only way to determine which species' are present. For these reasons, it will be necessary for a permitted biologist to conduct presence/absence trapping surveys with negative survey results in order to demonstrate presumptive absence on the Project site. Trapping should be conducted in all areas where Dr. O'Farrell found kangaroo rat sign, and in all other potentially suitable habitat, including degraded habitat, previously disturbed areas, i.e. former vineyards, and areas with ruderal vegetation. Service personnel are available to assist the City and the project applicant in the development of an appropriate sampling design.

3

The DEIR says that seven SBKR were captured in surveys conducted on the "Fontana Fan" in 2002 and 2004 with seven animals captured in 2002 and none in 2004. The alluvial fan is larger than the project site and it is unclear in the DEIR whether or not the Project site was trapped, particularly those areas identified as RAFSS and RSS. Even though the Service accepts negative survey results as evidence of presumptive absence, SBKR could still have been present in 2002 in low, undetectable numbers; their populations vary widely with environmental variation such as a series of high or low rainfall years. Also, trapping is a snapshot in time; both the distribution and numbers of SBKR can change over time. In other words, negative survey results in 2004 are not sufficient evidence that SBKR are not present today; an 11-year old survey is too dated to be relied upon. The Service normally considers negative presence/absence surveys to be valid for one year.

### Coastal California Gnatcatcher

4

The DEIR concludes that there is a low potential for coastal California gnatcatcher (*Polioptila californica californica*, gnatcatcher). Its basis for this conclusion is the limited amount of suitable habitat and a distance of approximately 2 miles to the nearest documented occurrence location. While we do not disagree that the potential for gnatcatcher on the Project site may be low, they could be present. Therefore, protocol surveys should be mandatory, not discretionary. 4 (cont.)

#### Programmatic Level Impact Assessment

While we understand that the DEIR is a programmatic document, deferring surveys for state and federally listed species and other special/sensitive species until individual projects which tier off the DEIR are developed leaves significant data gaps which prevent an analysis of the effects of the approval of the specific plan on these species. As a result, the full extent of potential impacts cannot be determined nor can they be adequately addressed. We recommend that appropriate protocol surveys be conducted for listed and sensitive species as part of the DEIR and that the results and any subsequent analysis and mitigation measures be re-circulated and included in the FEIR. 5

#### Mitigation Measure D-5 for Migratory Birds

The end of the nesting season in the document is August 31. The Service generally considers the avian nesting season to end on September 15. We recommend that you make this change in the Final EIR. 6

We appreciate the opportunity to comment on the DEIR and look forward to the reviewing the revised document. Please contact me if you have any questions regarding these comments. 7

Sincerely,

Geary

#### **Literature Cited**

Braden, G., and R. McKernan. 2000. A Data Based Survey Protocol and Quantitative Description of Suitable Habitat for the Endangered San Bernardino kangaroo rat. San Bernardino County Museum. June 2000. 35 pp

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Geary W. Hund  
Fish and Wildlife Biologist  
760-322-2070 x209  
U.S. Fish and Wildlife Service  
Palm Springs Office  
777 E. Tahquitz Canyon Way, Suite 208  
Palm Springs, California 92262

**LETTER A**

U.S. Fish and Wildlife Service

**Geary W. Hund**

Palm Springs Office

777 E. Tahquitz Canyon Way

Pal Springs, CA 92262

(March 6, 2015)

**RESPONSE A-1**

This comment provides a general overview of the Draft EIR and U.S. Fish and Wildlife Service agency responsibilities. This comment is noted.

**RESPONSE A-2**

This comment provides a general introduction to the comments raised in this letter. Responses to the comments contained in this letter are provided below in Responses to Comments A-3 through A-6.

**RESPONSE A-3**

Dr. O'Farrell's SBKR habitat assessment recognized that sage scrub habitat is present on the site, which is a potentially suitable habitat type for SBKR, but that it existed in small discrete patches with a groundcover of mostly dense, introduced grasses that fully exclude SBKR occupation. He also identified that the majority of the site is subject to continual disking with other areas supporting dense grass cover, both of which preclude the opportunity for SBKR occupation. The industry-wide accepted procedure for determining the need to conduct focused surveys for a sensitive species is based on an initial habitat assessment, and if potentially suitable habitat is identified then focused surveys are typically warranted. The determination of potentially suitable habitat is based not only on vegetation communities but also on the quantity and/or quality of the habitat and the presence of critical habitat features, dependent on a particular species needs. In this case, Dr. O'Farrell determined that areas on the site that may have been potential habitat for SBKR were in fact not suitable based on the composition of the habitat (in particular dense grass cover) and ongoing disturbance. In addition, he searched for diagnostic signs of the species and found none on or adjacent to the site. Based on his detailed evaluation of the habitat Dr. O'Farrell determined that the site is not occupied by SBKR, that the habitat is not suitable for SBKR, and that the developed nature of the surrounding area negates the possibility of colonization from off-site. As such, focused trapping surveys were not warranted and were not conducted for the site. The City is confident that Dr. O'Farrell's assessment is accurate based on his detailed evaluation of the site and his extensive experience with SBKR including in the vicinity of the site (e.g., Lytle Creek). Dr. O'Farrell is both a bat and rodent specialist and conducted his masters and doctoral theses, respectively, on these mammal groups. He has been working with rodents since 1971 and holds a federally-listed permit (#TE744707-4) in order to conduct his mammal work. To date he has conducted over 614 focused surveys on mammals, including at least 74 on SBKR, with associated scientific publications and technical reports, again inclusive of SBKR.<sup>1</sup> Dr. O'Farrell's extensive experience in assessing SBKR habitats and conducting focused trapping surveys provides him with the expertise and qualifications to determine

<sup>1</sup> <http://mammalogist.org>

the potential for a species to occupy a site based on observations of key habitat components that the species requires, which are lacking on the project site.

Although Dr. O'Farrell indicated that off-site colonization is negated for the site due to surrounding development, a portion of the study area is within designated critical habitat for SBKR. As such, Mitigation Measure D-1 requires a habitat assessment to be conducted by a qualified biologist prior to issuance of any grading permits to determine the potential presence of suitable SBKR habitat on the site at the time of the site-specific assessments. Per the prescribed mitigation measure, if suitable habitat is found, then focused trapping surveys would be conducted by a permitted biologist according to required USFWS protocols with additional measures implemented to ensure potentially significant impacts are reduced to a less than significant level if the species is found. If the future assessment finds there is no suitable habitat, then focused trapping surveys would not be necessary. Therefore, although focused surveys are not currently warranted due to a lack of suitable habitat, the need for focused surveys will be re-evaluated based on the findings of future site-specific habitat assessments. This mitigation measure is appropriate for the program-level CEQA documentation provided in the Draft EIR, and would be subject to further USFWS review at the time of project-level approvals pursuant to the Endangered Species Act. Please also see Response A-5 below for a discussion of the Draft EIR's programmatic level impact assessment.

#### **RESPONSE A-4**

The City concurs with this comment that coastal California gnatcatcher could be present on the site. Impacts to coastal California gnatcatcher have been identified in the Draft EIR as potentially significant. Per Mitigation Measure D-1, a habitat assessment would be conducted by a qualified biologist according to required USFWS protocols prior to issuance of any grading permits to determine the presence of potentially suitable habitat for coastal California gnatcatcher on the site. Per the prescribed mitigation measure, if suitable habitat is found then focused surveys would be conducted with additional measures implemented to ensure potentially significant impacts are reduced to a less than significant level. If the future assessment finds there is no suitable habitat, then focused surveys would not be necessary. Therefore, contrary to this comment, focused surveys are not mandatory, but rather will be determined based on the findings of future site-specific habitat assessments. This mitigation measure is appropriate for the program-level CEQA documentation provided in the Draft EIR, and would be subject to further USFWS review at the time of project-level approvals pursuant to the Endangered Species Act. Please also see Response A-5 below for a discussion of the Draft EIR's programmatic level impact assessment.

#### **RESPONSE A-5**

The potential for sensitive species to occur on the site and the potential impacts to these species have been fully identified in the Draft EIR, with mitigation measures to ensure potentially significant impacts are reduced to a less than significant level. The mitigation measures are appropriate for the program-level CEQA documentation provided in the Draft EIR, and would be subject to further USFWS review at the time of project-level approvals. The need to conduct protocol surveys will be determined based on the findings of future site-specific habitat assessments.

#### **RESPONSE A-6**

Per this comment, Mitigation Measure D-5 has been revised to identify the end of the nesting season as September 15. This revision has been incorporated into Chapter 3, *Corrections and Additions to the Draft EIR*, in this Final EIR.

**RESPONSE A-7**

The comment is noted.

## Letter B



State of California - Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Inland Deserts Region  
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Ontario, CA 91764  
(909) 484-0459  
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EDMUND G. BROWN, Jr., Governor  
CHARLTON H. BONHAM, Director



March 04, 2015

DiTanyon Johnson  
Associate Planner  
City of Fontana Planning Division  
8353 Sierra Avenue  
Fontana, CA 92335

Subject: Draft Environmental Impact Report  
Westgate Specific Plan  
State Clearinghouse No. 1995052002

Dear Mr. Johnson:

The Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Westgate Specific Plan Project (Project) [State Clearinghouse No. 1995052002]. The Department is responding to the DEIR as a Trustee Agency for fish and wildlife resources (California Fish and Game Code Sections 711.7 and 1802, and the California Environmental Quality Act [CEQA] Guidelines Section 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code Sections 1600 *et seq.*) and/or a California Endangered Species Act (CESA) Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (California Fish and Game Code Sections 2080 and 2080.1).

1

The Project is located south and east of the Interstate 15 Freeway, west of Lytle Creek Road, and north of Baseline Avenue in the City of Fontana, San Bernardino County, California. The Project site is physically divided into four "villages", including Westgate Village, Westgate Village East, Westgate Center, and Falcon Ridge Village. Westgate Village and Westgate Village East are bound by the Pacific Electric Bike Trail, Baseline Avenue, and Walnut Street to the south, Cherry Avenue and San Sevaine Road to the east, the 210 Freeway to the north, and the I-15 Freeway to the west. Westgate Center is bound by the 210 Freeway to the south, San Sevaine Road and existing residential developments to the east, and the I-15 Freeway to the north and west. Falcon Ridge Village is bound by Summit Avenue and Beech Avenue to the south, Lytle Creek Road to the east, and the I-15 Freeway to the north and west.

2

The four Villages are comprised of 68 Planning Areas, which include a total of up to 6,410 residential units, 50.9 acres of Commercial Retail, 179.9 acres of business park and professional office uses, 71.6 acres of warehouse/distribution uses, 47.8 acres of

Open Space/Public Parks, 9.15 acres of Open Space/Private Parks, 1.4 acres of Open Space/Landscape, 96.1 acres of Open Space/Utility Corridor, 24 acres for an Elementary School, 60 acres for a High School, and 89.35 acres of major street rights-of-way.

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(cont.)

Following review of the Biological Resources section of the DEIR, the Department offers the comments and recommendations listed below to assist in adequately identifying and/or mitigating the project's significant, or potentially significant, impacts on biological resources. The Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species (i.e., biological resources). The Department is a Trustee Agency with responsibility under CEQA for commenting on projects that could affect biological resources. As a Trustee Agency, the Department is responsible for providing, as available, biological expertise to review and comment upon environmental documents and impacts arising from project activities (CEQA Guidelines, § 15386; Fish and Game Code, § 1802).

3

1. The DEIR does not contain sufficient analysis of Project related impacts to special status species. Please note that the presence of special status species on the Project site is an important aspect of the environmental setting and should be fully investigated and disclosed prior to the adoption of an EIR. In particular, the Department requests that the revised DEIR address the following:

4

a. Mitigation Measure D-1 states that "Prior to the issuance of any grading permit for the Westgate Village area or Falcon Ridge Village area, habitat assessments should be conducted to confirm the presence and extent of suitable habitat for coastal California gnatcatcher and San Bernardino kangaroo rat (SBKR)". Mitigation Measure D-1 goes on to list measures that may be taken based on the results of future habitat assessments. The DEIR does not explain what methods will be used to determine whether habitat is occupied. Because the Department cannot review or comment on the adequacy of surveys that have not yet occurred, the Department cannot concur that these measures are sufficient to reduce the possible impacts to SBKR and California gnatcatcher (CAGN) to a level that is less than significant. Therefore, the Department requests that focused surveys be conducted for SBKR and CAGN, and that the results be included with the revised DEIR. Please note that a site assessment alone is not adequate for determining that a site is not occupied.

5

b. The Biological Resources Assessment (BRA) identifies 10 sensitive plant species as having potential for occurrence on site. Page 50 of the BRA states that "Individual projects under the Westgate Specific Plan would conduct focused surveys for sensitive plant species within [potentially suitable habitat], if determined warranted by a qualified biologist at the time the project is processed." The Department requests that the DEIR

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include the results of focused surveys that follow the Department's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities, which can be found at [http://www.dfg.ca.gov/wildlife/nongame/survey\\_monitor.html](http://www.dfg.ca.gov/wildlife/nongame/survey_monitor.html).

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(cont.)

c. The BRA identifies several California Species of Special Concern (SSC) which were observed on site or which have the potential to occur onsite, including loggerhead shrike, San Diego black-tailed jackrabbit, red-diamond rattlesnake, coast horned lizard, orange-throated whiptail, silvery legless lizard, northern harrier, burrowing owl, grasshopper sparrow, tricolored blackbird, western mastiff bat, pallid bat, Los Angeles pocket mouse, northwestern San Diego pocket mouse, San Diego desert woodrat, and southern grasshopper mouse. Page 51 of the BRA states that, with the exception of burrowing owl, "The loss of individuals as a result of the Westgate Specific Plan would not expect to reduce regional population numbers. Therefore, impacts to these sensitive wildlife species are considered adverse but less than significant and no mitigation measures would be required." Since no survey data were included for the above mentioned species, the Department cannot concur with this statement. Please provide the data and analysis that led to this conclusion.

2. According to the BRA, the Project site contains a total of 24.08 acres of Riversidean sage scrub (RSS) and 14.45 acres of Riversidean alluvial fan sage scrub (RAFSS). RAFSS is a state-designated S-1.1 "very threatened" community, and RSS is designated S-3, "vulnerable". Mitigation Measure D-3 proposes to offset impacts to RAFSS and RSS by "on- or off-site replacement, restoration, or enhancement of each respective plant species/community within an area dedicated for conservation. Ratios of mitigation to impacts shall occur at no less than 0.5:1 for disturbed, remnant plant populations/communities (e.g. Disturbed RSS and Disturbed RAFSS), and at minimum 1:1 ratio for less disturbed plant populations/communities (e.g. RSS and RAFSS/Disturbed)." The Department does not concur that the proposed mitigation ratios are adequate to reduce the impacts to RSS and RAFSS to a level below significance, particularly if restoration and/or enhancement of existing habitat may be used for mitigation instead of replacement of destroyed habitat. Please clarify the specific mitigation plan for RSS and RAFSS, including the location of the mitigation site, the methods that will be used to replace, restore, and/or enhance habitat, the acreage of habitat that will be created, restored, and/or enhanced, the method used to preserve the mitigation site (e.g., a conservation easement), and whether there will be an overall net loss of RSS and/or RAFSS as a result of the project after mitigation.

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As RAFSS habitat and areas that are suitable for creation of RAFSS as mitigation are increasingly scarce, the Department recommends that a reduced

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impact alternative that preserves the onsite RAFSS areas to the greatest extent feasible be considered.

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(cont.)

3. The IS references the North Fontana Interim Multiple Species Habitat Conservation Plan (Interim MSHCP). Please note that the Department does not currently recognize the Interim MSHCP as an approved Natural Community Conservation Plan, nor is the Department aware that the Interim MSHCP has been approved as a Habitat Conservation Plan with the United States Fish and Wildlife Service (USFWS). Furthermore, the Department is unaware whether the City of Fontana has formally submitted the Interim MSHCP to either Agency. The Department encourages the City of Fontana to work with the Department and the USFWS to create a Natural Community Conservation Plan (NCCP) and Habitat Conservation Plan (HCP) for the area that encompasses the North Fontana Interim Multiple Species Habitat Conservation Plan.

10

Information for creating an NCCP is available at this location:  
<https://www.dfq.ca.gov/habcon/nccp/>

Information for creating a HCP is available at this location:  
<http://www.fws.gov/endangered/what-we-do/hcp-overview.html>

#### *Mitigation Lands*

On September 28, 2012, the Governor signed SB 1094 into law amending Government Code sections 65966-65968, which among other things expanded authorization for holding mitigation lands and modified the requirements for mitigation endowments.

Under Government Code Sections 65965-65968 as amended, the Department is required to perform a due diligence review prior to authorizing non-profit organizations, governmental entities, and special districts to hold title and manage mitigation lands (Gov. Code, § 65967). Specifically, Government Code section 65967 states, “[a] state or local agency shall exercise due diligence in reviewing the qualifications of a governmental entity, special district, or nonprofit organization to effectively manage and steward land, water, or natural resources.”

11

The Department has prepared a due diligence application to determine whether an applicant is qualified to hold fee title or a conservation easement for mitigation lands under Government Code sections 65965-65968. To access the Department's due diligence application form, please visit:  
<http://www.dfg.ca.gov/habcon/envirRevPermit/>

4. It is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Migratory non-game native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*). In addition, sections 3503, 3503.5, and 3513 of the Fish and Game Code (FGC) stipulate the following: section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by FGC or any regulation made pursuant thereto; Section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by FGC or any regulation adopted pursuant thereto; and Section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

12

Mitigation Measure D-5 states that for the purpose of the DEIR, the nesting season is considered to be February 15 to August 31 for songbirds, and January 15 to August 31 for raptors. Please note that, while these date ranges include the peak nesting times for most birds, some species of raptors (e.g., owls) may commence nesting activities earlier than January 15, and songbirds may nest later than August 31. The Department encourages the Lead Agency to complete nesting bird surveys regardless of time of year to ensure compliance with all applicable laws related to nesting birds and birds of prey. Please note that the Department recommends that pre-construction surveys be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner. The Department also recommends that surveys occur over the entirety of the project site, and not be limited to those areas with shrubs and trees. Not all bird species nest in vegetation; some species nest directly on the ground. As mentioned previously, it is the Lead Agency's responsibility to ensure that the project complies with all applicable laws related to nesting birds and birds of prey, and that violations of these laws do not occur.

5. For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream or use material from a streambed, the project applicant (or "entity") must provide written notification to the Department pursuant to Section 1602 of the Fish and Game Code. Based on this notification and other information, the Department then determines whether a Lake and Streambed Alteration (LSA) Agreement is required. The Department's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the environmental document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, and monitoring and reporting

13

commitments. Early consultation with the Department is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to <http://www.dfg.ca.gov/habcon/1600/forms.html>.

The Department's website has additional information regarding dryland streams in "A review of Stream Processes and Forms in Dryland Watersheds" at this location: <http://www.dfg.ca.gov/habcon/1600/1600resources.html>.

Additional information can also be found in "Methods to Describe and Delineate Episodic Stream Processes on Arid Landscapes for Permitting Utility-Scale Solar Power Plants, With the MESA Field Guide - Final Project Report" (MESA Guide) available here: <http://www.energy.ca.gov/2014publications/CEC-500-2014-013/index.html> Please review page 9 of the MESA Guide. Please also refer to page E-14, which includes the definition of stream used by the Department's Lake and Streambed Alteration Program.

The BRA identified a total of nine (9) drainage features on the Project site, including a maintained concrete trapezoidal channel, the Etiwanda Creek Channel, the San Sevaine Creek Channel, three detention basins, a roadside drainage ditch, and the remnant East Etiwanda and San Sevaine Creeks. Please note that *all* aquatic and/or drainage features that have the potential to be impacted, regardless of hydrological connectivity, ordinary high water mark, presence of riparian vegetation, or evidence of relatively permanent flow, should be identified in a Notification of Lake or Streambed Alteration.

The following information will be required for the processing of a Notification of Lake or Streambed Alteration and the Department recommends incorporating this information into the CEQA document to avoid subsequent documentation and project delays. Please note that failure to include this analysis in the project's environmental document could preclude the Department from relying on the Lead Agency's analysis to issue an LSA Agreement without the Department first conducting its own, separate Lead Agency subsequent or supplemental analysis for the project:

- 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
- 2) Discussion of avoidance and minimization measures to reduce project impacts; and,
- 3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance. Please refer to section 15370 of the CEQA Guidelines for the definition of mitigation.

Draft Environmental Impact Report  
Westgate Specific Plan  
SCH No. 1995052002  
Page 7 of 7

The Department appreciates the opportunity to comment on the DEIR for the Westgate Specific Plan (SCH No. 1995052002) and requests that the Department's comments be addressed in the Final EIR (FEIR). If you should have any questions pertaining to this letter, please contact Gabriele Quillman at [gabriele.quillman@wildlife.ca.gov](mailto:gabriele.quillman@wildlife.ca.gov) or 909-980-3818.

14

Sincerely,



Leslie MacNair  
Acting Regional Manager

cc: State Clearinghouse, Sacramento

**LETTER B**

California Fish and Wildlife Service  
**Leslie MacNair, Acting Regional Manager**  
Inland Deserts Region  
3602 Inland Empire Blvd., Suite C-220  
Ontario, CA 91764  
(March 4, 2015)

**RESPONSE B-1**

This comment provides a general overview of the California Department of Fish and Wildlife (CFWS) responsibilities. This comment is noted.

**RESPONSE B-2**

This comment provides a general overview of the Project. This comment is noted.

**RESPONSE B-3**

This comment provides a general introduction to the comments raised in this letter. Responses to the comments contained in this letter are provided below in Responses to Comments B-4 through B-13.

**RESPONSE B-4**

This comment provides a general introduction to the comments regarding special status species raised in this letter. Responses to the comments regarding special status species contained in this letter are provided below in Responses to Comments B-5 through B-7.

**RESPONSE B-5**

The industry-wide accepted procedure for determining the need to conduct focused surveys for a sensitive species is based on an initial habitat assessment, and if potentially suitable habitat is identified then focused surveys are typically warranted. The determination of potentially suitable habitat is based not only on vegetation communities but also on the quantity and/or quality of the habitat and the presence of critical habitat features, dependent on a particular species needs. As stated in Mitigation Measure D-1, the assessments and focused surveys for coastal California gnatcatcher and SBKR should be conducted by a biologist(s) possessing a valid Endangered Species Act Section 10(a)(1)(A) Recovery Permit (herein referred to as a USFWS permitted biologist) and following the required USFWS survey protocols. As such, the accuracy of the habitat assessments and validity of the focused surveys, if required, will be more than adequate based on expert involvement.

The potential impacts to coastal California gnatcatcher and SBKR have been fully identified in the Draft EIR, and implementation of Mitigation Measure D-1 ensures potentially significant impacts are reduced to a less than significant level. The measure includes determining the need to conduct protocol surveys based on the findings of future site-specific habitat assessments. If the future assessment identifies suitable habitat, as discussed above, focused surveys will be conducted to determine if the site is occupied. Conversely, if the future assessment finds there is no suitable habitat, then focused surveys would not be necessary. This

measure is appropriate for the program-level CEQA documentation provided in the Draft EIR, and would be subject to further agency review at the time of project-level approvals.

### **RESPONSE B-6**

The 10 sensitive plant species were identified as having a low potential for occurrence based on the presence of limited habitat that is of poor quality. Potentially suitable habitat for sensitive plant species is limited to the southern portion of the study area within Westgate Village, namely scattered areas mapped as RSS, Disturbed RSS, RAFSS/Disturbed, and Disturbed RAFSS. Specifically, this potentially suitable habitat totals 38.53 acres which is equivalent to 9.5 percent of the total 404.40 acres of land within the Westgate Village area and 4 percent of the total 963.99 acres of the entire project site. Similar to the comment on coastal California gnatcatcher and SBKR addressed in Response B-5 above, the potential impacts to sensitive plants have been fully identified in the Draft EIR, and implementation of Mitigation Measure D-3 ensures potentially significant impacts are reduced to a less than significant level. To incorporate the potential need to conduct a focused survey for sensitive plants that is discussed on page 50 of the BRA, and consistent with the approach for coastal California gnatcatcher and SBKR, Mitigation Measure D-3 has been revised to include conducting future site-specific habitat assessments if impacts are proposed to RSS and RAFSS plant communities. The habitat assessment would determine the extent of the sensitive vegetation communities and their potential to support sensitive plant species and, if suitable habitat is present, focused surveys shall be conducted. The surveys shall be conducted by a qualified biologist pursuant to CDFW protocol. Conversely, if the future assessment finds there is no suitable habitat, then focused surveys would not be necessary. This revision has been incorporated into Chapter 3, *Corrections and Additions to the Draft EIR*, in this Final EIR, but is provided for information purposes below. This measure is appropriate for the program-level CEQA documentation provided in the Draft EIR, and would be subject to further agency review at the time of project-level approvals.

**Mitigation Measure D-3** Prior to the issuance of any grading permit in areas determined to support ~~sensitive species~~ or sensitive plant communities (e.g., RSS and RAFSS in the Westgate Village area) to which ~~significant~~ impacts would occur, an assessment shall be conducted to confirm the presence and extent of these vegetation communities and potentially suitable habitat for sensitive plants. If suitable habitat is present for sensitive plants, a focused survey shall be conducted. The survey shall be conducted by a qualified biologist with experience in conducting plant surveys and pursuant to the CDFW protocol (i.e., "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities"). If any sensitive plant species are found the significance of potential impacts shall be assessed following the guidelines in the CDFW protocol, including the significance of the populations observed considering nearby populations and total species distribution. Impacts to sensitive plant communities shall be minimized to the greatest extent feasible. For significant impacts, mitigation shall be proposed and outlined in a Habitat Mitigation and Monitoring Plan (HMMP) that shall be prepared during project-level approvals. The HMMP shall offset impacts to the species and/or plant communities, focusing on the creation of equivalent habitats within disturbed habitat areas within the study area and/or off-site. In addition, the HMMP shall provide details as to the implementation of the mitigation, maintenance, and future monitoring. Mitigation for impacts shall be offset by on- or off-site replacement, restoration, or enhancement of each respective sensitive plant species/community within an area dedicated for conservation. Ratios of mitigation to impacts shall occur at no less than 0.5:1 for disturbed, remnant plant populations/communities (e.g. Disturbed RSS and Disturbed RAFSS), and at a minimum 1:1 ratio for less disturbed plant

populations/communities (e.g. RSS and RAFSS/Disturbed). Mitigation shall occur in one or more of the following ways, as determined appropriate by a qualified biologist:

1. Transplantation of sensitive plant species (on-site or off- site);
2. Seeding of plant species (on-site or off- site);
3. Planting of container plants (on-site or off- site);
4. Salvage of on-site duff and seed bank and subsequent dispersal (on-site or off- site); and/or
5. Off-site preservation at an established mitigation bank or other area dedicated for conservation.

### **RESPONSE B-7**

Of the 16 California Species of Special Concern (SSC) species with a potential to occur on-site, 13 were considered to have a low potential to occur based on the limited extent, distribution and/or quality of the habitat, one (1) was considered to have a moderate potential, and two (2) were considered to have a high potential. The data and analysis for the SSC species is provided in section 4.8.4 of the BRA and in Appendix C of the BRA and is based on the CNDDDB and other available data described in section 3.2 of the BRA. The 13 species with low potential include two (2) bat species (western mastiff bat and pallid bat) that were considered to have a low potential for foraging only and would not be expected to roost, three (3) bird species (grasshopper sparrow, tricolored blackbird, and burrowing owl), four (4) reptiles (coast horned lizard, orange-throated whiptail, silvery legless lizard, and red-diamond rattlesnake), and four (4) mammals (LA pocket mouse, northwestern San Diego pocket mouse, San Diego desert woodrat, and southern grasshopper mouse). Based on the limited and poor quality of the habitat these species, if present, would only be expected to occur in limited numbers. Specifically, the RAFSS and RSS habitat is limited in acreage (38.53 acres which is equivalent to 9.5 percent of the total 404.40 acres of land within the Westgate Village area and 4 percent of the total 963.99 acres of the entire project site), scattered in distribution within the southern portion of the Westgate Village area of the project, and displays signs of historical and ongoing disturbance (for example is characterized by a dense understory of non-native grasses and signs of human use such as trails). Furthermore, the non-native grasslands are actively maintained which lowers the suitability for species to utilize these areas. Potential impacts to the bird species would be avoided through implementation of Mitigation Measures D-2 and D-5. Potential impacts to the other species would be minimized through avoidance of the RSS and RAFSS habitats to the greatest extent feasible (see Response B-6 above and revised Mitigation Measure D-3). Therefore based on the limited extent, distribution and quality of the habitat and the proposed mitigation measures, any impacts would not expect to reduce regional population numbers to a significant level or adversely affect available foraging habitat.

For the species with moderate or high potential to occur, one (northern harrier) has a moderate potential to occur for foraging only, and one (loggerhead shrike) has a high potential for foraging and nesting based on historical records of occurrence within the study area. However, based on the limited quality of the habitat and mitigation measures (Mitigation Measure D-5 and revised Mitigation Measure D-3), as described above, any direct impacts would be avoided and no adverse effects would occur to available foraging habitat. San Diego black-tailed jackrabbit was determined to have a high potential to occur based on historical records of occurrence within the study area. However, this species is typically highly visible and was not observed during the field survey. In addition, RSS and RAFSS habitat is limited in extent, distribution and quality that would limit population size, if present, and the revised Mitigation Measure D-3 would minimize impacts to habitat to the greatest extent feasible. As such, any impacts to these species are considered less than significant.

**RESPONSE B-8**

The proposed mitigation ratios in Mitigation Measure D-3 are based on a *minimum* ratio intended to result in a no net loss of the native RSS and/or RAFSS vegetation for both the disturbed and less disturbed areas. The 0.5:1 ratio for disturbed RSS and RAFSS habitat is intended to mitigate for the native portion of the vegetation only that is considered to provide habitat, since these communities are characterized by a high density of non-native species and disturbed areas. The specific impacts and appropriate mitigation based on the impacts will be analyzed in further detail during the project-level assessments. The intent of Mitigation Measure D-3 is to outline the mitigation options on which the project-level mitigation will be based. The ratios are proposed as a minimum to allow flexibility based on the type of mitigation proposed at the time of the project-level assessment, which will be based on availability of potential mitigation areas at that time. For example, creation of RSS or RAFSS habitat at a 1:1 ratio would be considered adequate to compensate for the loss of less disturbed RSS or RAFSS habitats. However if creation is not available, or the entire 1:1 ratio cannot be satisfied by creation, other types of mitigation (such as restoration and/or enhancement of existing habitat) may be feasible but would likely require a higher mitigation ratio as compensation for the lack of creating replacement habitat. The specific mitigation details, including the location of the mitigation site, the methods, and the mechanism to preserve the mitigation site, will be available for further agency review at the time of project-level approvals and will be outlined in a HMMP that is described in Mitigation Measure D-3. The HMMP will be prepared by a qualified biologist based on industry-accepted methods for mitigation, and will include specific methods applicable to RSS and RAFSS habitats based on the success of other known mitigation projects for these habitat types, including those within Lytle Creek. Furthermore, the intent is to avoid impacts to RSS and RAFSS habitats to the greatest extent feasible (see Response B-6 above and revised Mitigation Measure D-3).

**RESPONSE B-9**

The City concurs with this comment that impacts to RAFSS habitats should be reduced to the greatest extent feasible. As such, Mitigation Measure D-3 has been revised to state this intent. This revision has been incorporated into Chapter 3, *Corrections and Additions to the Draft EIR*, in this Final EIR.

**RESPONSE B-10**

The comment is noted. The City is aware that the Interim MSHCP is not yet approved by the agencies. The MSHCP is discussed in this analysis to ensure full disclosure and compliance with the plan should it become adopted during any project-level assessments.

**RESPONSE B-11**

This comment pertains to the 2012 amendment of Government Code sections 65966-65968 with regards to mitigation lands and the qualifications of applicants to hold fee title or a conservation easement for mitigation lands. The comment is noted.

**RESPONSE B-12**

Per this comment, Mitigation Measure D-5 has been revised to require surveys within three (3) days prior to commencement of clearing or ground disturbance activities to the greatest extent feasible, and to identify that surveys may be required outside the typical nesting season as determined by the project biologist. The revision also includes a statement that if active nests are detected, the project biologist may recommend additional measures beyond a buffer based on project-specific conditions to ensure compliance with all

federal, state and local laws pertaining to nesting birds and birds of prey. Please note that the nesting season has been extended from August 31 to September 15 per a comment received from USFWS (see Response A-6 above). These revisions have been incorporated into Chapter 3, *Corrections and Additions to the Draft EIR*, in this Final EIR.

### **RESPONSE B-13**

The comment is noted. CDFW will be notified regarding any proposed impacts to aquatic and/or drainage features pursuant to the Lake or Streambed Alteration notification package and the required associated information. The need to apply for a Streambed Alteration Agreement under Section 1602 of the California Fish and Game Code from CDFW for impacts to jurisdictional features is also stated in Mitigation Measure D-4.



# DEPARTMENT OF CONSERVATION

## DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEB SITE [conservation.ca.gov](http://conservation.ca.gov)

March 6, 2015

Via Email: [djohnson@fontana.org](mailto:djohnson@fontana.org)  
DiTanyon Johnson, Associate Planner  
City of Fontana Planning Division  
8353 Sierra Avenue  
Fontana, CA 92335

SUBJECT: WESTGATE SPECIFIC PLAN; SCH #1995052002

Dear Mr. Johnson:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. The Division has reviewed the above referenced project and offers the following comments and recommendations.

### PROJECT DESCRIPTION

The Westgate Specific Plan encompasses 964 acres in the northwestern part of the City of Fontana, in San Bernardino County. The project site is situated adjacent to Interstate 15 (I-15) and State Route 210 (SR-210). The Westgate Specific Plan was adopted in 1996 by the City of Fontana. Due to substantial growth in the area and the completion of a freeway overpass (SR 210/I-15), the City proposes changes to the Specific Plan.

The project as proposed is the phased construction and development of four community villages. The proponents intend to build 1,164 single-family dwelling units on 385.5 acres, 474 multi-family units on 79.0 acres, 40.9 acres of retail/commercial use, 117.6 acres of business parks, 129.5 acres of mixed use development, 6.9 acres of "flex" uses, 15.0 acres of public parks, 91 acres designated as open space, and 10 acres for an elementary school campus.

The site is surrounded by urban development on all sides. A large portion of the project site was historically used for vineyards, but the DEIR states that current agricultural use of the site is relatively nominal. Nevertheless, the 2012 Important Farmland Map<sup>1</sup> classifies 443.5 acres of the project site as Unique Farmland and 2014 imagery flown by the National Agricultural Imagery Program indicates that the land designated as Unique Farmland continues to be planted to vineyards. A Land Evaluation and Site Assessment was prepared for the site. The final score indicated that the project would have a significant impact under CEQA.

<sup>1</sup> California Important Farmland Finder. California Department of Conservation.  
<http://maps.conservation.ca.gov/ciff/ciff.html>. Accessed 3/4/2015.

## MITIGATION MEASURES

The DEIR states that the project would result in the conversion of 443.5 acres of land classified as Unique Farmland to a non-agricultural use, and that the Westgate Specific Plan and other related projects would result in a significant unavoidable cumulative impact relative to reduction of agricultural productivity within the region. The DEIR ultimately determines that no feasible mitigation is available within the area, since the City has not adopted an agricultural land mitigation program, and second that the funding, contribution and/or purchasing off-site agricultural conservation easement or similar instruments is infeasible given the City's minimal level of existing agricultural operation and limited supply of farmland.

4

Although direct conversion of agricultural land is often an unavoidable impact under California Environmental Quality Act (CEQA) analysis, mitigation measures must be considered. In some cases, the argument is made that mitigation cannot reduce impacts to below the level of significance because agricultural land will still be converted by the project, and, therefore, mitigation is not required. However, reduction to a level below significance is not a criterion for mitigation. Rather, the criterion is feasible mitigation that lessens a project's impacts. Pursuant to CEQA Guideline §15370, mitigation includes measures that "avoid, minimize, rectify, reduce or eliminate, or compensate" for the impact. The recommended Mitigation Measures B-1 and B-2 fall short of providing mitigation as defined in the CEQA Guidelines.

Given that the project will impact 443.5 acres of Unique Farmland, the Department does not agree with the City's proposed mitigation and lack of determination to address the loss of this Important Farmland. The conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands need not be limited strictly to lands within the surrounding area, but should be roughly equivalent in proximity, acreage, and agricultural characteristics to the affected property.

Under CEQA, all potentially feasible mitigation measures which could lessen a project's impacts should be included in the Final EIR for the City's Westgate Specific Plan. A measure brought to the attention of the lead agency should not be left out unless it is infeasible based on its elements.

5

The Department reminds the City that mitigation via agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements, or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. There is no requirement under CEQA for the City to have established their own conservation easement program or in-lieu fee mitigation bank.

The California Council of Land Trusts (CCLT) has provided a handbook to assist local governments with implementing agricultural impact mitigation:

<http://www.calandtrusts.org/wp-content/uploads/2014/03/conserving-californias-harvest-web-version-6.26.14.pdf>

The California Farmland Conservancy Program (CFCP) is another source of information on the mechanisms and fees associated with conservation easements as well as their use in mitigating for agricultural land conversion. SB 1094 (Kehoe, Chapter 705, Statutes of 2012) amended Government Code § 69567 to provide additional

authorization for third parties (including the CFCP) to receive funds and fulfill the CEQA lead agency's mitigation obligations. Information on the CFCP can be found at:

<http://www.conservation.ca.gov/DLRP/CFCP/Pages/Index.aspx>

As such, the Department recommends that the City include mitigation in the Final EIR, either in the form of a purchased conservation easement of equal acreage or an in-lieu fee that will provide for a 1:1 ratio of preserved Unique Farmland, to lessen project impacts in accordance with CEQA Guidelines § 15370.

5  
(cont.)

Should no other mitigation be included in the final analysis, the impacts to agricultural resources will remain significant and unavoidable and must be analyzed through an Environmental Impact Report with accompanying findings as per CEQA Guidelines § 15091 and possible Statements of Overriding Consideration as per CEQA Guidelines § 15093.

6

Thank you for the opportunity to provide comments. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions concerning our comments, please contact Meri Meraz, Associate Environmental Planner at (916) 445-9411 or at [mmeraz@conservation.ca.gov](mailto:mmeraz@conservation.ca.gov).

Sincerely,



Molly A Penberth, Manager  
Division of Land Resource Protection  
Conservation Support Unit

**LETTER C**

California Department of Conservation  
**Molly A Penberth, Manager**  
Division of Land Resource Protection  
Conservation Support Unit  
801 K Street  
Sacramento, CA 95814  
(March 6, 2015)

**RESPONSE C-1**

This comment provides a general overview of the California Department of Conservation, Division of Land Resource Protection responsibilities. This comment is noted.

**RESPONSE C-2**

This comment provides a general overview of the Project. This comment is noted.

**RESPONSE C-3**

The commenter states, in concurrence with the discussion presented in Section 4.B, *Agriculture and Forestry Resources*, of the Draft EIR, that approximately 443.5 acres of the project site is designated as Unique Farmland, that the project site was historically planted as vineyards (with remnants still present on the site), and that a Land Evaluation and Site Assessment (LESA) was prepared for the site that concluded that impacts to on-site farmland are considered significant. This comment is noted.

**RESPONSE C-4**

The commenter summarizes the conclusions contained in the Draft EIR regarding the infeasibility of various mitigation strategies intended to reduce impacts to agricultural resources. This comment is noted.

**RESPONSE C-5**

The commenter suggests that in instances where a project would result in an unavoidable loss or conversion of farmland, that a Draft EIR must not simply conclude that the impact is significant and unavoidable without providing mitigation that reduces or eliminates such impacts. The Draft EIR for the Westgate Specific Plan does, however, provide mitigation that would, in fact reduce the impacts of the conversion of Unique Farmland on-site, but not to a level of less than significant. The City of Fontana, as CEQA Lead Agency, need not "adopt every nickel and dime mitigation scheme brought to its attention or proposed in the project EIR" so long as it has adopted sufficient measures which would substantially lessen or avoid significant environmental impacts. (*San Franciscans for Reasonable Growth v. City and County of San Francisco* (1989) 209 Cal.App.3d 1502.). The commenter's statement that the mitigation provided in Mitigation Measures B-1 and B-2 to not constitute mitigation that, to at least some degree, would lessen the impacts of the proposed Specific Plan is not accurate. Furthermore, the commenter's assertion that the loss of the on-site Unique Farmland would constitute a regional impact is acknowledged in the Draft EIR's discussion of cumulative impacts related to the loss of farmland resources in Southern California and statewide, and as such the exploration of mitigation options to reduce impacts was not limited to the immediate area. However, given

the limited quantity of comparable farmland in the Southern California region, overall increases in land costs, labor costs, rising resource costs for fuel and water, competition from other regions and overseas, and other factors, the provision of off-site replacement farmland, whether within or outside the region, was determined to be economically infeasible. Irrespective of whether or not the City has established its own conservation easement program or in-lieu fee mitigation bank, providing replacement farmland that is "roughly equivalent in proximity, acreage, and agricultural characteristics" to the project site or payment of fees to secure such property through a fee payment program elsewhere would be cost-prohibitive, if not impossible. Thus, including a mitigation measure that requires such replacement farmland would not effectively address the project's significant farmland impacts, as such mitigation could not be feasibly implemented (*Napa Citizens for Honest Gov't v Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 365.)

#### **RESPONSE C-6**

This comment is noted.



## Letter D

STATE OF CALIFORNIA

### GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH STATE CLEARINGHOUSE AND PLANNING UNIT



EDMUND G. BROWN JR.  
GOVERNOR

KEN ALEX  
DIRECTOR

March 6, 2015

DiTanyon Johnson  
City of Fontana  
8353 Sierra Avenue  
Fontana, CA 92335

Subject: West Gate Specific Plan  
SCH#: 1995052002

Dear DiTanyon Johnson:

The enclosed comment (s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on March 5, 2015. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

1

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (1995052002) when contacting this office.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

NATURAL RESOURCES AGENCY

EDMUND G. BROWN JR., GOVERNOR



## DEPARTMENT OF CONSERVATION

## DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEB SITE [conservation.ca.gov](http://conservation.ca.gov)

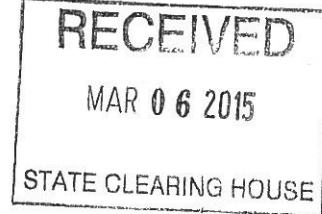
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3-5-15

E

March 6, 2015

Via Email: [djohnson@fontana.org](mailto:djohnson@fontana.org)  
DiTanyon Johnson, Associate Planner  
City of Fontana Planning Division  
8353 Sierra Avenue  
Fontana, CA 92335



SUBJECT: WESTGATE SPECIFIC PLAN; SCH #1995052002

Dear Mr. Johnson:

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## PROJECT DESCRIPTION

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The site is surrounded by urban development on all sides. A large portion of the project site was historically used for vineyards, but the DEIR states that current agricultural use of the site is relatively nominal. Nevertheless, the 2012 Important Farmland Map<sup>1</sup> classifies 443.5 acres of the project site as Unique Farmland and 2014 imagery flown by the National Agricultural Imagery Program indicates that the land designated as Unique Farmland continues to be planted to vineyards. A Land Evaluation and Site Assessment was prepared for the site. The final score indicated that the project would have a significant impact under CEQA.

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#### MITIGATION MEASURES

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Although direct conversion of agricultural land is often an unavoidable impact under California Environmental Quality Act (CEQA) analysis, mitigation measures must be considered. In some cases, the argument is made that mitigation cannot reduce impacts to below the level of significance because agricultural land will still be converted by the project, and, therefore, mitigation is not required. However, reduction to a level below significance is not a criterion for mitigation. Rather, the criterion is feasible mitigation that lessens a project's impacts. Pursuant to CEQA Guideline §15370, mitigation includes measures that "avoid, minimize, rectify, reduce or eliminate, or compensate" for the impact. The recommended Mitigation Measures B-1 and B-2 fall short of providing mitigation as defined in the CEQA Guidelines.

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Under CEQA, all potentially feasible mitigation measures which could lessen a project's impacts should be included in the Final EIR for the City's Westgate Specific Plan. A measure brought to the attention of the lead agency should not be left out unless it is infeasible based on its elements.

The Department reminds the City that mitigation via agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements, or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. There is no requirement under CEQA for the City to have established their own conservation easement program or in-lieu fee mitigation bank.

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As such, the Department recommends that the City include mitigation in the Final EIR, either in the form of a purchased conservation easement of equal acreage or an in-lieu fee that will provide for a 1:1 ratio of preserved Unique Farmland, to lessen project impacts in accordance with CEQA Guidelines § 15370.

Should no other mitigation be included in the final analysis, the impacts to agricultural resources will remain significant and unavoidable and must be analyzed through an Environmental Impact Report with accompanying findings as per CEQA Guidelines § 15091 and possible Statements of Overriding Consideration as per CEQA Guidelines § 15093.

Thank you for the opportunity to provide comments. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions concerning our comments, please contact Meri Meraz, Associate Environmental Planner at (916) 445-9411 or at [mmeraz@conservation.ca.gov](mailto:mmeraz@conservation.ca.gov).

Sincerely,



Molly A Penberth, Manager  
Division of Land Resource Protection  
Conservation Support Unit

**LETTER D**

Governor's Office of Planning and Research

**Scott Morgan, Director**

State Clearinghouse

1400 10<sup>th</sup> Street

Sacramento, CA 95812-3044

(March 6, 2015)

**RESPONSE D-1**

Comment noted. The comment acknowledges that the City of Fontana has complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act and that the attached comments were provided by the California Department of Conservation (refer to responses to Letter C above).



## Letter E

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE of PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



EDMUND G. BROWN JR.  
GOVERNOR

KEN ALEX  
DIRECTOR

March 6, 2015

DiTanyon Johnson  
City of Fontana  
8353 Sierra Avenue  
Fontana, CA 92335

Subject: West Gate Specific Plan  
SCH#: 1995052002

Dear DiTanyon Johnson:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on March 5, 2015, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

1

“A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation.”

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

**Document Details Report**  
**State Clearinghouse Data Base**

**SCH#** 1995052002  
**Project Title** West Gate Specific Plan  
**Lead Agency** Fontana, City of

---

**Type** EIR Draft EIR  
**Description** Note: Reference SCH# 1991062014

The Westgate Specific Plan is comprised of four villages, all of the land uses within which are incorporated into 68 development areas, designated as "Planning Areas" (PAs). Altogether, these PAs include a total of 5,410 residential units, 50.9 acres of Commercial Retail, 179.9 acres of business park and professional office uses, 71.6 acres of warehouse/distribution uses, 47.8 acres of Open Space/Public Parks, 9.15 acres of Open Space/Private Parks, 1.4 acres of Open Space/Landscape, 96.1 acres of Open Space/Utility Corridor, 24 acres for an Elementary School, 60 acres for a High School, and 89.35 acres of major street rights-of-way.

---

**Lead Agency Contact**

<b>Name</b>	DiTanyon Johnson
<b>Agency</b>	City of Fontana
<b>Phone</b>	909 350 6678
<b>email</b>	
<b>Address</b>	8353 Sierra Avenue
<b>City</b>	Fontana
	<b>State</b> CA <b>Zip</b> 92335

*Fax*

**Project Location**

<b>County</b>	San Bernardino
<b>City</b>	Fontana
<b>Region</b>	
<b>Lat / Long</b>	
<b>Cross Streets</b>	
<b>Parcel No.</b>	Multiple
<b>Township</b>	
	<b>Range</b>
	<b>Section</b>
	<b>Base</b>

---

**Proximity to:**

<b>Highways</b>	SR 210, I-15
<b>Airports</b>	
<b>Railways</b>	Metrolink
<b>Waterways</b>	Lytle Creek
<b>Schools</b>	Multiple
<b>Land Use</b>	GP: Regional Mixed Use (RMU), Residential Planned Community (R-PC), Medium Density Residential (R-M), General Commercial (C-G), Public Utility Corridors (P-UC), and Recreational Facilities (P-R) Z: Specific Plan #17 - Westgate

---

**Project Issues** Agricultural Land; Air Quality; Archaeologic-Historic; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects; Aesthetic/Visual

---

**Reviewing Agencies** Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 6; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Services, California; California Highway Patrol; Caltrans, District 8; Department of Housing and Community Development; Air Resources Board; Regional Water Quality Control Board, Region 8; Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission

Note: Blanks in data fields result from insufficient information provided by lead agency.

Document Details Report  
State Clearinghouse Data Base

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*Date Received* 01/20/2015    *Start of Review* 01/20/2015    *End of Review* 03/05/2015



State of California - Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Inland Deserts Region  
3602 Inland Empire Blvd., Suite C-220  
Ontario, CA 91764  
(909) 484-0459  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

EDMUND G. BROWN, Jr., Governor  
CHARLTON H. BONHAM, Director



CLEAR

3-5-15

E

March 04, 2015

DiTanyon Johnson  
Associate Planner  
City of Fontana Planning Division  
8353 Sierra Avenue  
Fontana, CA 92335

RECEIVED

MAR 04 2015

STATE CLEARINGHOUSE

Subject: Draft Environmental Impact Report  
Westgate Specific Plan  
State Clearinghouse No. 1995052002

Dear Mr. Johnson:

The Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Westgate Specific Plan Project (Project) [State Clearinghouse No. 1995052002]. The Department is responding to the DEIR as a Trustee Agency for fish and wildlife resources (California Fish and Game Code Sections 711.7 and 1802, and the California Environmental Quality Act [CEQA] Guidelines Section 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code Sections 1600 *et seq.*) and/or a California Endangered Species Act (CESA) Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (California Fish and Game Code Sections 2080 and 2080.1).

The Project is located south and east of the Interstate 15 Freeway, west of Lytle Creek Road, and north of Baseline Avenue in the City of Fontana, San Bernardino County, California. The Project site is physically divided into four "villages", including Westgate Village, Westgate Village East, Westgate Center, and Falcon Ridge Village. Westgate Village and Westgate Village East are bound by the Pacific Electric Bike Trail, Baseline Avenue, and Walnut Street to the south, Cherry Avenue and San Sevaine Road to the east, the 210 Freeway to the north, and the I-15 Freeway to the west. Westgate Center is bound by the 210 Freeway to the south, San Sevaine Road and existing residential developments to the east, and the I-15 Freeway to the north and west. Falcon Ridge Village is bound by Summit Avenue and Beech Avenue to the south, Lytle Creek Road to the east, and the I-15 Freeway to the north and west.

The four Villages are comprised of 68 Planning Areas, which include a total of up to 6,410 residential units, 50.9 acres of Commercial Retail, 179.9 acres of business park and professional office uses, 71.6 acres of warehouse/distribution uses, 47.8 acres of

Open Space/Public Parks, 9.15 acres of Open Space/Private Parks, 1.4 acres of Open Space/Landscape, 96.1 acres of Open Space/Utility Corridor, 24 acres for an Elementary School, 60 acres for a High School, and 89.35 acres of major street rights-of-way.

Following review of the Biological Resources section of the DEIR, the Department offers the comments and recommendations listed below to assist in adequately identifying and/or mitigating the project's significant, or potentially significant, impacts on biological resources. The Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species (i.e., biological resources). The Department is a Trustee Agency with responsibility under CEQA for commenting on projects that could affect biological resources. As a Trustee Agency, the Department is responsible for providing, as available, biological expertise to review and comment upon environmental documents and impacts arising from project activities (CEQA Guidelines, § 15386; Fish and Game Code, § 1802).

1. The DEIR does not contain sufficient analysis of Project related impacts to special status species. Please note that the presence of special status species on the Project site is an important aspect of the environmental setting and should be fully investigated and disclosed prior to the adoption of an EIR. In particular, the Department requests that the revised DEIR address the following:
  - a. Mitigation Measure D-1 states that "Prior to the issuance of any grading permit for the Westgate Village area or Falcon Ridge Village area, habitat assessments should be conducted to confirm the presence and extent of suitable habitat for coastal California gnatcatcher and San Bernardino kangaroo rat (SBKR)". Mitigation Measure D-1 goes on to list measures that may be taken based on the results of future habitat assessments. The DEIR does not explain what methods will be used to determine whether habitat is occupied. Because the Department cannot review or comment on the adequacy of surveys that have not yet occurred, the Department cannot concur that these measures are sufficient to reduce the possible impacts to SBKR and California gnatcatcher (CAGN) to a level that is less than significant. Therefore, the Department requests that focused surveys be conducted for SBKR and CAGN, and that the results be included with the revised DEIR. Please note that a site assessment alone is not adequate for determining that a site is not occupied.
  - b. The Biological Resources Assessment (BRA) identifies 10 sensitive plant species as having potential for occurrence on site. Page 50 of the BRA states that "Individual projects under the Westgate Specific Plan would conduct focused surveys for sensitive plant species within [potentially suitable habitat], if determined warranted by a qualified biologist at the time the project is processed." The Department requests that the DEIR

include the results of focused surveys that follow the Department's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities, which can be found at [http://www.dfg.ca.gov/wildlife/nongame/survey\\_monitor.html](http://www.dfg.ca.gov/wildlife/nongame/survey_monitor.html).

- c. The BRA identifies several California Species of Special Concern (SSC) which were observed on site or which have the potential to occur onsite, including loggerhead shrike, San Diego black-tailed jackrabbit, red-diamond rattlesnake, coast horned lizard, orange-throated whiptail, silvery legless lizard, northern harrier, burrowing owl, grasshopper sparrow, tricolored blackbird, western mastiff bat, pallid bat, Los Angeles pocket mouse, northwestern San Diego pocket mouse, San Diego desert woodrat, and southern grasshopper mouse. Page 51 of the BRA states that, with the exception of burrowing owl, "The loss of individuals as a result of the Westgate Specific Plan would not expect to reduce regional population numbers. Therefore, impacts to these sensitive wildlife species are considered adverse but less than significant and no mitigation measures would be required." Since no survey data were included for the above mentioned species, the Department cannot concur with this statement. Please provide the data and analysis that led to this conclusion.
2. According to the BRA, the Project site contains a total of 24.08 acres of Riversidean sage scrub (RSS) and 14.45 acres of Riversidean alluvial fan sage scrub (RAFSS). RAFSS is a state-designated S-1.1 "very threatened" community, and RSS is designated S-3, "vulnerable". Mitigation Measure D-3 proposes to offset impacts to RAFSS and RSS by "on- or off-site replacement, restoration, or enhancement of each respective plant species/community within an area dedicated for conservation. Ratios of mitigation to impacts shall occur at no less than 0.5:1 for disturbed, remnant plant populations/communities (e.g. Disturbed RSS and Disturbed RAFSS), and at minimum 1:1 ratio for less disturbed plant populations/communities (e.g. RSS and RAFSS/Disturbed)." The Department does not concur that the proposed mitigation ratios are adequate to reduce the impacts to RSS and RAFSS to a level below significance, particularly if restoration and/or enhancement of existing habitat may be used for mitigation instead of replacement of destroyed habitat. Please clarify the specific mitigation plan for RSS and RAFSS, including the location of the mitigation site, the methods that will be used to replace, restore, and/or enhance habitat, the acreage of habitat that will be created, restored, and/or enhanced, the method used to preserve the mitigation site (e.g., a conservation easement), and whether there will be an overall net loss of RSS and/or RAFSS as a result of the project after mitigation.

As RAFSS habitat and areas that are suitable for creation of RAFSS as mitigation are increasingly scarce, the Department recommends that a reduced

impact alternative that preserves the onsite RAFSS areas to the greatest extent feasible be considered.

3. The IS references the North Fontana Interim Multiple Species Habitat Conservation Plan (Interim MSCHP). Please note that the Department does not currently recognize the Interim MSHCP as an approved Natural Community Conservation Plan, nor is the Department aware that the Interim MSHCP has been approved as a Habitat Conservation Plan with the United States Fish and Wildlife Service (USFWS). Furthermore, the Department is unaware whether the City of Fontana has formally submitted the Interim MSHCP to either Agency. The Department encourages the City of Fontana to work with the Department and the USFWS to create a Natural Community Conservation Plan (NCCP) and Habitat Conservation Plan (HCP) for the area that encompasses the North Fontana Interim Multiple Species Habitat Conservation Plan.

Information for creating an NCCP is available at this location:  
<https://www.dfg.ca.gov/habcon/nccp/>

Information for creating a HCP is available at this location:  
<http://www.fws.gov/endangered/what-we-do/hcp-overview.html>

#### *Mitigation Lands*

On September 28, 2012, the Governor signed SB 1094 into law amending Government Code sections 65966-65968, which among other things expanded authorization for holding mitigation lands and modified the requirements for mitigation endowments.

Under Government Code Sections 65965-65968 as amended, the Department is required to perform a due diligence review prior to authorizing non-profit organizations, governmental entities, and special districts to hold title and manage mitigation lands (Gov. Code, § 65967). Specifically, Government Code section 65967 states, “[a] state or local agency shall exercise due diligence in reviewing the qualifications of a governmental entity, special district, or nonprofit organization to effectively manage and steward land, water, or natural resources.”

The Department has prepared a due diligence application to determine whether an applicant is qualified to hold fee title or a conservation easement for mitigation lands under Government Code sections 65965-65968. To access the Department's due diligence application form, please visit:  
<http://www.dfg.ca.gov/habcon/envirRevPermit/>

4. It is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Migratory non-game native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*). In addition, sections 3503, 3503.5, and 3513 of the Fish and Game Code (FGC) stipulate the following: section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by FGC or any regulation made pursuant thereto; Section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by FGC or any regulation adopted pursuant thereto; and Section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

Mitigation Measure D-5 states that for the purpose of the DEIR, the nesting season is considered to be February 15 to August 31 for songbirds, and January 15 to August 31 for raptors. Please note that, while these date ranges include the peak nesting times for most birds, some species of raptors (e.g., owls) may commence nesting activities earlier than January 15, and songbirds may nest later than August 31. The Department encourages the Lead Agency to complete nesting bird surveys regardless of time of year to ensure compliance with all applicable laws related to nesting birds and birds of prey. Please note that the Department recommends that pre-construction surveys be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner. The Department also recommends that surveys occur over the entirety of the project site, and not be limited to those areas with shrubs and trees. Not all bird species nest in vegetation; some species nest directly on the ground. As mentioned previously, it is the Lead Agency's responsibility to ensure that the project complies with all applicable laws related to nesting birds and birds of prey, and that violations of these laws do not occur.

5. For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream or use material from a streambed, the project applicant (or "entity") must provide written notification to the Department pursuant to Section 1602 of the Fish and Game Code. Based on this notification and other information, the Department then determines whether a Lake and Streambed Alteration (LSA) Agreement is required. The Department's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the environmental document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, and monitoring and reporting

commitments. Early consultation with the Department is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to <http://www.dfg.ca.gov/habcon/1600/forms.html>.

The Department's website has additional information regarding dryland streams in "A review of Stream Processes and Forms in Dryland Watersheds" at this location: <http://www.dfg.ca.gov/habcon/1600/1600resources.html>.

Additional information can also be found in "Methods to Describe and Delineate Episodic Stream Processes on Arid Landscapes for Permitting Utility-Scale Solar Power Plants, With the MESA Field Guide - Final Project Report" (MESA Guide) available here: <http://www.energy.ca.gov/2014publications/CEC-500-2014-013/index.html> Please review page 9 of the MESA Guide. Please also refer to page E-14, which includes the definition of stream used by the Department's Lake and Streambed Alteration Program.

The BRA identified a total of nine (9) drainage features on the Project site, including a maintained concrete trapezoidal channel, the Etiwanda Creek Channel, the San Sevaine Creek Channel, three detention basins, a roadside drainage ditch, and the remnant East Etiwanda and San Sevaine Creeks. Please note that *all* aquatic and/or drainage features that have the potential to be impacted, regardless of hydrological connectivity, ordinary high water mark, presence of riparian vegetation, or evidence of relatively permanent flow, should be identified in a Notification of Lake or Streambed Alteration.

The following information will be required for the processing of a Notification of Lake or Streambed Alteration and the Department recommends incorporating this information into the CEQA document to avoid subsequent documentation and project delays. Please note that failure to include this analysis in the project's environmental document could preclude the Department from relying on the Lead Agency's analysis to issue an LSA Agreement without the Department first conducting its own, separate Lead Agency subsequent or supplemental analysis for the project:

- 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
- 2) Discussion of avoidance and minimization measures to reduce project impacts; and,
- 3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance. Please refer to section 15370 of the CEQA Guidelines for the definition of mitigation.

Draft Environmental Impact Report  
Westgate Specific Plan  
SCH No. 1995052002  
Page 7 of 7

The Department appreciates the opportunity to comment on the DEIR for the Westgate Specific Plan (SCH No. 1995052002) and requests that the Department's comments be addressed in the Final EIR (FEIR). If you should have any questions pertaining to this letter, please contact Gabriele Quillman at [gabriele.quillman@wildlife.ca.gov](mailto:gabriele.quillman@wildlife.ca.gov) or 909-980-3818.

Sincerely,

  
From: Leslie MacNair  
Acting Regional Manager

cc: State Clearinghouse, Sacramento

**LETTER E**

Governor's Office of Planning and Research

**Scott Morgan, Director**

State Clearinghouse

1400 10<sup>th</sup> Street

Sacramento, CA 95812-3044

(March 6, 2015)

**RESPONSE E-1**

Comment noted. The comment acknowledges that the City of Fontana has complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act and that the attached comments were provided by the California Department of Fish and Wildlife (refer to responses to Letter B above).

## DEPARTMENT OF TRANSPORTATION

DISTRICT 8

PLANNING (MS 722)

464 WEST 4th STREET, 6<sup>th</sup> FLOOR  
SAN BERNARDINO, CA 92401-1400  
PHONE (909) 383-4557  
FAX (909) 383-5936  
TTY 711  
[www.dot.ca.gov/dist8](http://www.dot.ca.gov/dist8)Letter FSerious Drought.  
Help save water!

April 13, 2015

File: 08-SBd-15-PM 7.05/9.53,  
08-SBd-210-PM 11.5/12.44

DiTanyon Johnson  
Associate Planner  
City of Fontana  
8353 Sierra Avenue  
Fontana, CA 92335

**Subject: Westgate Specific Plan – Recirculated Draft Environmental Report dated January 2015; Traffic Impact Analysis dated December 30, 2013**

Dear Ms. Johnson:

The California Department of Transportation (Caltrans) has received the Recirculated Draft Environmental Impact Report (DEIR) and the Traffic Impact Analysis (TIA) for the Westgate Specific Plan. The proposed project includes multiple parcels located east of I-15, south of Beech/Wilson Avenue, west of Beech Avenue, and north of Baseline Avenue. The project proposes to change the allowable development within the Specific Plan boundaries, including: an increase of up to 4,072 dwelling units; a decrease of 6.4 acres of commercial uses; an increase of 52 acres of open space/parks; an increase of 74 acres of public school uses; and an increase of 8.5 acres of road right-of-way.

We offer the following comments for your consideration:

1. The TIA indicates that existing conditions on Cherry Avenue, from North of Sierra Lakes Parkway to Sierra Lakes Parkway, potentially exceeds capacity. The existing segment is two lanes, one in each direction. However, the TIA does not address project traffic impacts on this segment. Without any improvements to this segment of Cherry Avenue, traffic impacts could potentially affect the SR-210/Cherry Avenue and the I-15/Beech Avenue (Summit Avenue) interchanges. Due to this segment of Cherry Avenue being located in both the City of Fontana and the City of Rancho Cucamonga, please ensure that the City of Fontana is coordinating efforts with the City of Rancho Cucamonga.
2. The City should ensure the collection of project fair share contributions and the implementation of mitigation measures prior to the opening of proposed developments.
3. When a land use or development application is submitted to the City, please provide the appropriate documents to our office for review.

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Ms. Johnson  
April 13, 2015  
Page 2

If you have any questions regarding this letter, please contact Rena Tang at (909) 806-3927 or myself at (909) 383-4557. | 5

Sincerely,



MARK ROBERTS  
Office Chief  
Intergovernmental Review, Community and Regional Planning

**LETTER F**

California Department of Transportation (Caltrans)  
**Mark Roberts, Office Chief**  
District 8, Planning (MS 722)  
464 West 4<sup>th</sup> Street, 6<sup>th</sup> Floor San Bernardino, CA 92401-1400  
(April 13, 2015)

**RESPONSE F-1**

This comment provides a general overview of the project and introduction to the comments raised in this letter. Responses to the comments contained in this letter are provided below in Responses to Comments F-2 through F-4.

**RESPONSE F-2**

As suggested by the commenter, the City of Fontana will coordinate necessary improvements near the corporate boundary with the City of Rancho Cucamonga to ensure that they are implemented in accordance with applicable requirements of Caltrans and both local jurisdictions.

**RESPONSE F-3**

Consistent with this comment, the City will collect project fair share contributions and implement traffic mitigation measures, as necessary, prior to future development within the Specific Plan area.

**RESPONSE F-4**

This comment is noted.

**RESPONSE F-5**

This comment is noted.



## Letter G

1700 W. Fifth St.  
San Bernardino, CA 92411  
909-379-7100  
[www.omnitrans.org](http://www.omnitrans.org)

February 13, 2015

Mr. DiTanyon Johnson, Associate Planner  
City of Fontana, Planning Division  
8353 Sierra Avenue  
Fontana, CA 92335

**Subject: Comments regarding Draft Environmental Impact Report for the Westgate Specific Plan**

Dear Mr. Johnson,

Thank you for providing Omnitrans, the public transportation provider for the San Bernardino Valley, the opportunity to offer comments with respect to the Westgate Specific Plan. We appreciate your incorporation of our request in our previous letter that developers will coordinate with Omnitrans and will provide passenger amenities at bus stops within the Specific Plan Area. We would like to provide a few additional comments based on the Draft EIR.

Under Impact 4.N-5 (on page 4.N-30), the DEIR states:

*The development of future projects pursuant to the Specific Plan will increase demands on affected transit services and facilities, and such demands would be incrementally greater if residential uses were developed within Planning Area 24 given the potential for up to 1,000 additional housing units. However, vehicles, routes, and facilities are anticipated to be expanded to meet the growing needs of the community, funded by revenues from increased ridership.*

In actuality, approximately 25% of Omnitrans' operating expenses are covered by the fares paid by passengers. Omnitrans' Route 67 and Route 82, which are currently adjacent to the Specific Plan Area, are both hourly routes and are among the least productive of the routes in Omnitrans' service area. Increased ridership demand may make these routes more productive but may not necessarily fund the expansion of vehicles, facilities, frequency, or hours of service.

The average walking distance of an Omnitrans passenger to the bus stop is  $\frac{1}{2}$  mile. Since much of the Specific Plan Area lies greater than  $\frac{1}{2}$  mile from the existing routes 67 and 82, a comprehensive and innovative approach will be needed to make the Specific Plan Area truly multimodal and amenable to alternative modes of transportation. Public transit, bikeways, and walkways must be well-connected and convenient.

There is some discussion in the DEIR of the provision of connected off-road Class I bikeways. Since these bikeways in all practicality cannot connect to every origin and destination that people will be going via bicycle, the bikeways should also be well-connected with a continuous network of on-street bicycle facilities. Pedestrian and bicycle facilities should also be constructed extending outward beyond the boundaries of the Specific Plan Area, if needed.

Above all, the design of all roadways being constructed should consider the safety of all roadway users (including bicyclists, pedestrians, individuals with mobility devices, and transit passengers) as a higher priority than the speed and throughput of vehicular travel. For example, all roadways within the Specific Plan Area, and extending outside the Specific Plan Area, should be designed for convenient and safe pedestrian crossings (including adequate signal timings for crossing, colored or well-marked crosswalks,

raised crosswalks, HAWK signals, etc.). Design of the roadways should also take into consideration how bicyclists will safely navigate crossings and turns (beyond simply providing a standard 5' striped bike lane), including such measures as colored bike lanes, buffered or separated bike lanes, bike boxes at intersections, and bike detection at signals. The specific design of bicycle and pedestrian facilities should be conducted in consultation with potential users to ensure their functionality.

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(cont.)

The DEIR mentions a pedestrian bridge planned for crossing over a six-lane road. Looking at other American examples, pedestrian bridges are rarely used – with the exception of dense locations where pedestrian bridges directly connect two buildings with related uses (such as on a University campus or connecting a parking garage to an adjacent building). This is primarily because pedestrian bridges greatly increase the distance that a person has to walk by requiring use of a long winding ramp or staircase on both sides. For this reason, it is highly recommended instead to slow down traffic on the street to provide a safer crossing – either by providing fewer than six lanes, narrowing the lanes, or including a HAWK signal, raised crosswalk, and colored or textured crosswalk.

6

Please feel free to contact us or arrange a meeting if additional information is needed. For information specific to bus stop design and amenities, please contact me at (909) 379-7256 ([Anna.Jaiswal@Omnitrans.org](mailto:Anna.Jaiswal@Omnitrans.org)). To discuss the expansion of bus service or routing, please contact Jeremiah Bryant, Service Planning Manager, at (909) 379-7252 ([Jeremiah.Bryant@Omnitrans.org](mailto:Jeremiah.Bryant@Omnitrans.org)).

7

Respectfully,



Anna Rahtz Jaiswal  
Development Planning Manager

**LETTER G**

Omnitrans  
**Anna Rahtz Jaiswal, Development Planning Manager**  
1700 W. Firth Street  
San Bernardino, CA 92411  
(February 13, 2015)

**RESPONSE G-1**

This comment provides a general introduction to the comments raised in this letter. Responses to the comments contained in this letter are provided below in Responses to Comments G-4 through G-6.

**RESPONSE G-2**

This comment is noted. It is understood that revenues from ridership comprise only a portion of the costs required for expanded services and facilities. Omnitrans also works diligently with the Federal Transit Administration and the San Bernardino Associated Governments (SANBAG) to secure federal, state and local funding. Omnitrans also pursues alternative funding sources to help secure its financial stability.

**RESPONSE G-3**

The Specific Plan proposes an extensive system of bikes and trails to support alternative modes of transportation. Figure 2-15, *Bikeways and Trails Plan*, in Chapter 2.0, *Project Description*, of the Draft EIR illustrates the bikeway and trails proposed as part of the Specific plan. As shown therein, the Specific Plan would implement various Class I and II bike lanes, paseos and a pedestrian bridge. These project components would all facilitate the use alternative transportation facilities throughout the local project vicinity.

**RESPONSE G-4**

The City concurs with this comment that bikeways should be well-connected with a continuous network of on-street bicycle facilities. As shown in Figure 2-15 in the Draft EIR, each planning area within the overall specific plan area would have nearby access to the network of existing and proposed bicycle facilities. Also as shown in Figure 2-15, the proposed bicycle facilities would provide connections to off-site bike lanes extending outward beyond the Specific Plan boundaries. Future, new off-site pedestrian and bicycle facilities in the local vicinity would be developed based on available funding (i.e., City General Fund) and capital improvement program priorities.

**RESPONSE G-5**

This comment is noted by the City. The City places a high value on the safety of all roadway users during design considerations of all roadway facilities. The design recommendations provided in this comment will be considered by the City during the design-level planning of future roadways in the Specific plan project area.

### **RESPONSE G-6**

The proposed pedestrian bridge is planned to span Summit Avenue north of Sierra Lakes Parkway in the central portion of Westgate Center. Figure 2-15 in the Draft EIR illustrates the bridge's general location. The bridge would provide a safe grade-separated crossing and serve Westgate and City-wide purposes as follows:

- Provide a safe crossing for children and adults, whether walking or biking.
- Provide a grade-separated link via proposed Class I bike lanes to a major City-wide regional bike trail, the northeast/southwest oriented utility corridor, which would also provide a direct connection to the east / west oriented SANBAG corridor at the southern edge of the Specific Plan area.
- Facilitate access between high density residential uses, mixed-use business park uses, and various public amenities within Westgate Center.

Summit Avenue would be realigned as a two-lane Enhanced Collector roadway with much lower traffic volumes and large vehicle traffic than Baseline Avenue. The proposed bridge would provide convenient and continuous pedestrian connectivity between high density residential uses and mixed-use business park employment centers, which would facilitate lower traffic generation and reduced pollution. As the pedestrian bridge has been relocated away from Baseline Avenue, the issues raised by the commenter are no longer applicable to the Specific Plan as currently proposed. Thus, the pedestrian crossing design recommendations provided by this comment are not being considered furthermore by the City.

### **RESPONSE G-7**

This comment is noted.



# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178

(909) 396-2000 • [www.aqmd.gov](http://www.aqmd.gov)

SENT VIA USPS AND E-MAIL:

[DJohnson@fontana.org](mailto:DJohnson@fontana.org)

March 5, 2015

Mr. DiTanyon Johnson, Associate Planner  
Planning Division  
City of Fontana  
8353 Sierra Avenue  
Fontana, CA 92335

## Draft Environmental Impact Report (DEIR) for the Proposed Westgate Specific Plan (SCH No. 1995052002)

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final CEQA document.

1

The Lead Agency proposes construction within four village areas that will be divided into 68 total planning development areas on an approximately 964-acre site. Included are up to 6,410 residential units, 50.9 acres of commercial/retail uses, 179.9 acres of business park and professional office uses, 71.6 acres and up to 1.2 million square feet of warehouse/distribution uses, open space/public and private parks, two elementary schools, a high school, landscaping and infrastructure. The four project areas are located by the Interstate 15 (I-15) and State Route 210 (SR-15) Freeways. The air quality analysis assumes a construction period starting in July 2015 showing Phase 1 construction completed as early as 2016, but based on market conditions, overall construction will continue over an approximately 20-year period until project buildout planned for year 2035.

2

The Lead Agency has determined that estimated construction, operation emissions and cancer risks substantially exceed the SCAQMD recommended thresholds of significance during construction (NOx), operations (VOC, NOx, CO, PM10 and PM2.5, mostly from vehicle operations) and for Toxic Air Contaminants (potential cancer risk from sensitive receptors being sited near diesel particulate emissions (DPM) from vehicles operating on the two freeways). The unmitigated cancer risk of up to 47 in one million from the DPM freeway vehicle would remain 33 in one million with mitigation, which is still substantially above the SCAQMD's recommended CEQA significance threshold for Maximum Incremental Cancer Risk (MICR): 10 in one million or greater lifetime probability of contracting cancer.

3

Based on its review, the SCAQMD staff has concerns about the assumptions made in the health risk assessment and air quality analyses. The SCAQMD also notes that localized significant emission impacts from on-site project uses were not estimated in the DEIR although emissions from on-site mobile sources at proposed the warehouse/distribution, light industry, commercial/retail and other land uses potentially impact nearby sensitive receptors (i.e., residents, students, school staff, etc.). Therefore, these impacts should be analyzed, compared with appropriate significance thresholds and incorporated into the Project and applicable analyses in the Final EIR to demonstrate the Lead Agency's findings. Finally, since the Lead Agency has determined that project air quality impacts from construction, operations and cancer risk are significant and unavoidable, the SCAQMD staff is concerned that all feasible mitigation pursuant to Section 15126.4 of the CEQA Guidelines has not been incorporated into the project and should be included in the Final CEQA document. Further details are included in the attached pages.

4

Pursuant to Public Resources Code Section 21092.5, SCAQMD staff requests that the Lead Agency provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. The SCAQMD staff is available to work with the Lead Agency to address these issues and any other air quality questions that may arise. Please contact Gordon Mize, Air Quality Specialist CEQA Section, at (909) 396-3302, if you have any questions regarding the enclosed comments.

5

Sincerely,

*Jillian Wong*

Jillian Wong, Ph.D.  
Program Supervisor  
Planning, Rule Development & Area Sources

Attachment

JW:GM

SBC150121-02  
Control Number

## **Health Risk Assessment**

1. As of December 9, 2006, AERMOD is fully promulgated as a replacement to ISC3, in accordance with [Appendix W](http://www.epa.gov/ttn/scram/dispersion_prefrec.htm) ([http://www.epa.gov/ttn/scram/dispersion\\_prefrec.htm](http://www.epa.gov/ttn/scram/dispersion_prefrec.htm)). AERMOD is a steady-state plume model that incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of both surface and elevated sources, and both simple and complex terrain. AERMOD-ready meteorological data for various meteorological stations within the South Coast Air Basin (SCAB) are available for download free of charge at <http://www.aqmd.gov/home/library/air-quality-data-studies/meteorological-data/data-for-aermod>. The Lead Agency used AERMOD (version 13350) to prepare the dispersion modeling for the Warehouse Health Risk Assessment (HRA) but used AERMOD (version 12060) for the Freeway HRA analysis. Furthermore, while the meteorological data from the SCAQMD Fontana meteorological station was used for both HRA analyses, two different versions of the meteorological data were used. Font2.pfl and Font2.sfc (meteorological data for 2005-2007) and Font7.sfc and Font7.pfl (meteorological data for 2008-2012) are for different years. Given the advancements and bug fixes that occurred in AERMOD between version 12060 and 13350 and 14134 (today's current version), SCAQMD staff recommends that the Lead Agency revise the HRA analyses for both warehouse and freeway using the latest version of AERMOD (version 14134) without the use of Lakes AERMOD-MPI. SCAQMD's modeling guidance for AERMOD can be found at <http://www.aqmd.gov/home/library/air-quality-data-studies/meteorological-data/modeling-guidance>. Please note that when using AERMOD, the regulatory default option should be used (i.e. without the use of the "FASTALL" or "FLAT" options) and the Lakes MPI should not be used without prior SCAQMD or EPA Region 9 approval. 6
2. The electronic files for the HRA analyses provided by the Lead Agency to SCAQMD staff were incomplete and did not include the receptor file. Therefore, SCAQMD staff was unable to verify the placement of receptors in the HRA analyses. In the event that receptors were not placed in the correct location using a receptor grid of no more than 100-meter spacing over the existing residences and areas zoned or planned for residential development, the health risks reported in the HRA analyses and DEIR could be underestimated. Therefore, SCAQMD staff recommends that the Lead Agency provide a graphic showing the receptor grid placement in the Final EIR. 7
3. The proposed project includes both two elementary schools and one high school. However, in the analysis, no receptors were placed in those locations to estimate the health risks to the students, teachers and administrative staff at those locations. SCAQMD staff recommends the Lead Agency update the HRA analyses to include the schools as receptors and estimate the health risks at those locations. 8
4. In the Warehouse HRA analysis, the Lead Agency assumed only 10 minutes of idling for each truck. Since trucks may idle several times on-site, the SCAQMD staff 9

recommends assuming 15-minutes idling per truck in the HRA analysis, e.g., five minutes entering, five minutes on-site and five minutes exiting, etc.

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(cont.)

5. In the DEIR, the Lead Agency analyzed health risk impacts for residential exposure separately from TAC emissions coming from vehicles operating on the I-15 and State SR-15 Freeways. Since residents will be exposed to adverse health impacts from both the freeways (diesel-fueled vehicles operating on the freeways) and project warehouse distribution uses (diesel-fueled trucks operating at the sites), the combined risk from both sources should be totaled and disclosed in the Final EIR, in addition to the separate Maximum Incremental Cancer Risk (MICR) estimates for both sources already included in the DEIR. Otherwise, the potential combined risk is underestimated.

10

## Air Quality Analysis - Operations

### **Daily Truck Trip Rate**

6. In the Air Quality Impact Analysis, the Lead Agency uses the Institute of Transportation Engineers Trip Generation Manual, 9<sup>th</sup> Edition, 2012 (ITE Manual) 1.68 overall trip generation rate (for cars + trucks totally approximately 2,046 daily vehicles) for the proposed Project, but does not use the 0.64 daily truck trip rate from this same reference.<sup>1</sup> Rather, the Trip Generation Rates use a passenger car daily trip rate of 1.337 vehicles per day and a daily truck trip rate of 0.343 truck trips per day.<sup>2</sup> By using the 0.343 daily truck trip rate, trucks are estimated at 418 daily truck trips in the DEIR instead of approximately 780 daily truck trips using the ITE 0.64 daily truck trip rate. Therefore, absent from a specific traffic study of known tenants, the Final EIR should be consistent using the associated ITE truck trip rate to estimate project daily truck trips so that project trips and associated emission and health effect impacts are not underestimated.

11

### **Vehicle Fleet Mixture Percentages**

7. In the DEIR, the air quality analysis used a 0.343 daily truck trip rate (ITE 1.68 total daily trip rate minus 1.337 passenger vehicle trip rate = 0.343 daily truck trip rate) and truck vehicle fleet mixture percentages from the City of Fontana Truck Trip Generation Study (Fontana Study)<sup>3</sup> to estimate project air quality operational impacts in the CalEEMod modeling. Specifically, the Fontana Study fleet mixture percentages include: 3.46 percent of the total fleet for 2-axle Trucks; 4.64 percent for 3-axle trucks; and 12.33 percent for 4-axle and larger trucks with truck categories totaling 20.43 percent of the total vehicle fleet. Passenger Vehicles would therefore comprise 79.57 percent of total vehicles during operations. However, the 0.343 daily

12

<sup>1</sup> ITE Manual, High Cube Warehouse Distribution Center (ITE Land Use – 152), 0.64 weighted average Truck Trip Generation Rate (trip ends per 1,000 square feet of gross floor area), Page 267.

<sup>2</sup>  $1.337 + 0.343 = 1.68$ .

<sup>3</sup> DEIR, Traffic Impact Analysis, Project Trip Generation, Pages 31 and 37 Project (High Cube Warehouse Distribution Center) Trip Generation (Table 5, (3 of 3).

truck trip rate resulted in fleet percentages for the CalEEMod truck subcategories that were not proportionally adjusted consistent with the percentage of trucks estimated using the ITE 0.64 daily truck trip rate. Specifically, the number of daily trucks using the ITE 0.64 trip rate results in a greater number of daily truck trips: approximately 780 with the ITE 0.64 rate compared with approximately 418 daily trucks using the 0.343 daily truck trip rate based on the trip generation rates used in the Traffic and Circulation Section. Therefore, based on the increase numbers of trucks, the CalEEMod fleet mixture truck subcategories should be proportionally adjusted with the higher numbers of trucks after using the recommended ITE 0.64 daily truck trip rate. In the modeling inputs, however, the individual vehicle category percentages totaled 6.74 percent, which is lower than the percentage of trucks in the Traffic Study. In order to avoid underestimating project operational and related air quality and health effect impacts, the Air Quality Analysis, HRA and FEIR should be revised using the following truck percentages: LHD2 = 0.0645, MHD = 0.0865, HHD = 0.2300.

12  
(cont.)

### **On-Road Truck Trip Lengths**

8. In the DEIR, the Lead Agency does not describe potential truck activities that involve the proposed warehouse trucks. Since goods can be brought from the Ports of Long Beach and Los Angeles as well as other locations and delivered via truck to the proposed distribution centers and distributed via truck to both in- and out-of-state locations, the Final EIR should include more detailed discussion to justify the trip lengths used in the air quality and health risk affect analyses. In the CalEEMod output sheets provided in Appendix B of the DEIR appendices, the modeling used a 16.6 mile one-way trip distance was used by trucks employed by perspective tenants and an 8.4 one-way trip distance was used by trucks not employed by perspective tenants was used to estimate operational air quality impacts for trucks moving goods for the proposed facility. Since the port areas are over 70 miles away from the project site and that trucks will be serving other destinations within the basin and out of state, the SCAQMD staff recommends, absent a tenant-specific analysis with trip length information, that all applicable analyses be revised in the Final EIR using a one-way trip length that more accurately estimates air quality emission and related impacts based on the anticipated activities and distances described in the DEIR. If the Lead Agency is uncertain of the types of tenants or the trip lengths, the Lead Agency could alternatively limit activities, as a condition of a tenant's occupancy, to levels described in the analysis. Otherwise, long-term project air quality impacts for operations and other relative analyses will be substantially underestimated.

13

### **Use of an Un-Refrigerated Warehouse Land Use CalEEMod Model Input**

9. Based on a review of the project's emissions calculations in Appendix B: Air Quality Technical Appendix<sup>4</sup> (CalEEMod Output Sheets), the Lead Agency determined the proposed Project's air quality impacts using emission factors for unrefrigerated warehouses/truck activity. However, in mitigation measure MM C-12 to reduce

14

<sup>4</sup> Appendix B: Air Quality Technical Appendix.

Operational Emissions starting on Page 4.C-69, the Lead Agency refers to the use of Transportation Refrigeration Units (TRUs) at the project site. The SCAQMD staff therefore recommends that the Lead Agency include a mitigation measure that precludes the use of refrigerated warehousing at the Project site or revise the air quality analysis to account for emissions from refrigerated warehouse uses. Further, if the Lead Agency chooses to include refrigerated warehouses in the air quality analysis then MM C-12 should be incorporated into the project and remain in the Final EIR.

14  
(cont.)

### **Mitigation During Operations (MERV Filters and HVAC Systems)**

10. Starting on page 4.C-54, the Lead Agency discusses Health Risk results concluding that during occupancy, adverse air quality impacts from vehicles traveling on the existing I-10 and SR-210 freeways would expose sensitive receptors to substantially significant levels of Toxic Air Contaminants (TACs) even with mitigation due to existing ambient air pollution in the vicinity. The SCAQMD staff recognizes the many factors lead agencies must consider when siting new housing. On page 4.C-70, the Lead Agency is proposing mitigation to reduce the proposed project's significant health impacts. Further, many mitigation measures should be considered in the Final CEQA document that have been proposed for other projects as well to reduce exposure, including building filtration systems, placing the residential units furthest from the freeway, making any windows facing the freeway inoperable, building sound walls, planting vegetation barriers, etc. However, because of the potentially significant health risks involved, it is critical that any proposed mitigation must be carefully evaluated prior to determining if those health risks would be brought below recognized significance thresholds.

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### **Limits to Enhanced Filtration Units**

11. The Lead Agency should consider the limitations of the proposed enhanced filtration mitigation (Measure C-16) on page for this project on the housing residents. For example, in a study that SCAQMD conducted to investigate filters<sup>5</sup> similar to those proposed for this project, costs were expected to range from \$120 to \$240 per year to replace each filter. In addition, because the filters would not have any effectiveness unless there is a HVAC system that draws enough air to support the filter system and that the HVAC system is fully operable throughout the life of the project. In addition, there may be increased energy costs to the resident. The proposed mitigation also assumes that the filters operate 100 percent of the time while residents are indoors to reduce significant TAC impacts up to 33 in one million compared with the SCAQMD

16

<sup>5</sup> <http://www.aqmd.gov/docs/default-source/ceqa/handbook/agmfpilotstudyfinalreport.pdf?sfvrsn=0> . This study evaluated filters rated MERV 13+ while the proposed mitigation calls for less effective MERV 12 or better filters. See also CARB link for the "Status of Research on Potential Mitigation Concepts to Reduce Exposure to Nearby Traffic Pollution" (August 23, 2012): [http://www.arb.ca.gov/db/search/search\\_result.htm?q=Potential+Mitigation+Concepts+to+Reduce+Exposure+to+Nearby+Traffic+Pollution&which=arb\\_google&cx=006180681887686055858%3Abew1c4wl8hc&srch\\_words=&cof=FORID%3A11](http://www.arb.ca.gov/db/search/search_result.htm?q=Potential+Mitigation+Concepts+to+Reduce+Exposure+to+Nearby+Traffic+Pollution&which=arb_google&cx=006180681887686055858%3Abew1c4wl8hc&srch_words=&cof=FO RID%3A11) .

threshold of 10 in one million. It should be noted that these filters have no ability to filter out any toxic gasses from vehicle exhaust and would not reduce exposure when residents are outside of their homes, e.g. children playing outdoors, being around a pool area, residents relaxing or walking outside, working outside on a balcony, cleaning a vehicle, etc. In the Final CEQA document, the presumed effectiveness and feasibility of this mitigation should therefore be evaluated in more detail prior to assuming that it will sufficiently alleviate near truck exhaust exposures. Otherwise, impacts to residents from exposure to TACs will remain substantially significant and unavoidable.

16  
(cont.)

### **Mitigation Measures for Operational Air Quality Impacts (Mobile Sources)**

12. The California Air Resources Board has classified the particulate portion of diesel exhaust emissions as carcinogenic. During project operations, the Lead Agency has determined that project operation emissions are significant for Volatile Organic Compounds (VOC) and Oxides of Nitrogen (NOx), Carbon Monoxide (CO), Particulate Matter (PM10) and PM2.5, primarily from on-road mobile sources including truck activity emissions. The SCAQMD staff therefore recommends the following change and additional measures that should be incorporated into the Final EIR to reduce exposure to sensitive receptors and reduce project air quality impacts:

Recommended Change:

MM C-13

- The City shall require future commercial and industrial projects (to) promote the expanded use of renewable fuel and low-emission vehicles by including ~~one or both of~~ the following project components: provide preferential parking for ultra-low emission, zero-emission, and alternative-fuel vehicle; and provide electric vehicle charging stations within the development.

17

Additional Mitigation Measures:

- Require the use of 2010 compliant diesel trucks, or alternatively fueled, delivery trucks (e.g., food, retail and vendor supply delivery trucks) at commercial/retail sites upon project build-out. If this isn't feasible, consider other measures such as incentives, phase-in schedules for clean trucks, etc.
- Provide minimum buffer zone of 300 meters (approximately 1,000 feet) between truck traffic and sensitive receptors based on guidance from the California Air Resource Board (CARB) guidance.<sup>6</sup>
- Limit the daily number of trucks allowed at each facility to levels analyzed in the Final EIR. If higher daily truck volumes are anticipated to visit the site,

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<sup>6</sup> CARB: Air Quality and Land Use Handbook: A Community Health Perspective, April 2005, Page4 for Distribution Centers.

the Lead Agency should commit to re-evaluating the project through CEQA prior to allowing this higher activity level.

- Design the site such that any check-in point for trucks is well inside the facility to ensure that there are no trucks queuing outside of the facility.
- On-site equipment should be alternative fueled.
- Provide food options, fueling, truck repair and or convenience stores on-site to minimize the need for trucks to traverse through residential neighborhoods.
- Improve traffic flow by signal synchronization.
- Have truck routes clearly marked with trailblazer signs, so that trucks will not enter residential areas.
- Because the proposed Project generates significant regional emissions, the Lead Agency should require mitigation that requires accelerated phase-in for non-diesel powered trucks. For example, natural gas trucks, including Class 8 HHD trucks, are commercially available today. Natural gas trucks can provide a substantial reduction in health risks, and may be more financially feasible today due to reduced fuel costs compared to diesel. In the Final CEQA document, the Lead Agency should require a phase-in schedule for these cleaner operating trucks to reduce project impacts. SCAQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency and project applicant.

At a minimum, require upon occupancy that do not already operate 2007 and newer trucks to apply in good faith for funding to replace/retrofit their trucks, such as Carl Moyer, VIP, Prop 1B, or other similar funds. Should funds be awarded, the occupant should also be required to accept and use them.

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(cont.)

### **Electric Vehicle (EV) Charging Stations**

13. Trucks that can operate at least partially on electricity have the ability to substantially reduce the significant NOx impacts from this project. Further, trucks that run at least partially on electricity are projected to become available during the life of the project as discussed in the 2012 Regional Transportation Plan. It is important to make this electrical infrastructure available when the project is built so that it is ready when this technology becomes commercially available. The cost of installing electrical charging equipment onsite is significantly cheaper if completed when the project is built compared to retrofitting an existing building. Therefore, the SCAQMD staff recommends the Lead Agency require the proposed facility and other plan areas that allow truck parking to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for trucks to plug-in. Similar to the City of Los Angeles requirements for all new projects, the SCAQMD staff recommends that the Lead Agency require at least 5% of all vehicle parking spaces (including for trucks) include

18

EV charging stations.<sup>7</sup> Further, electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. At a minimum, electrical panels should appropriately sized to allow for future expanded use.

18  
(cont.)

### **CNG Fueling Station and Convenience Site**

14. Because proposed project generate significant regional NOx operational impacts, the SCAQMD staff recommends that the project pro-actively take measures that could reduce emissions sooner rather than later. The SCAQMD staff therefore recommends that the Lead Agency ensure the availability of alternative fueling facility (e.g., natural gas) to serve the project site prior to operation of any large truck operation uses within the project area.

19

### **Mitigation Measures for Operational Air Quality Impacts (Other)**

15. In addition to the mobile source mitigation measures identified above, the SCAQMD staff recommends the following on-site area source mitigation measures below to reduce the project's regional air quality impacts from VOC, CO, NOx, PM10 and PM2.5 emissions during operation. These mitigation measure should be incorporated pursuant to CEQA Guidelines §15126.4, §15369.5.

- Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on the building roofs and/or on the Project site to generate solar energy for the facility.
- Use light colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- Install light colored “cool” roofs and cool pavements.
- Limit the use of outdoor lighting to only that needed for safety and security purposes.
- Require use of electric or alternatively fueled sweepers with HEPA filters.
- Use of water-based or low VOC cleaning products.

20

### **Transportation**

- Make a commitment to install electric car charging stations (not just wiring infrastructure) for both non-residential and residential uses at the project site.
- Create local “light vehicle” networks, such as neighborhood electric vehicle (NEV) systems.

<sup>7</sup> [http://ladbs.org/LADBSWeb/LADBS\\_Forms/Publications/LAGreenBuildingCodeOrdinance.pdf](http://ladbs.org/LADBSWeb/LADBS_Forms/Publications/LAGreenBuildingCodeOrdinance.pdf)

## Energy

- Make a commitment that the project site will include a solar photovoltaic or an alternate system with means of generating renewable electricity.

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(cont.)

## Other

- Provide outlets for electric and propane barbecues in residential areas.

## **Mitigation Measures for Construction Air Quality Impacts**

16. Based on a review of the DEIR the Lead Agency determined that the proposed project will result in significant air quality impacts during construction. Specifically, the air quality analysis demonstrated that the proposed project will exceed the SCAQMD's CEQA regional construction significance thresholds for NOx. Therefore, the SCAQMD staff recommends the following changes and additional measures be incorporated into the proposed project and FEIR to reduce significant project impacts in addition to the measures included in the Draft EIR starting on page 4.C-67.

Recommended Change:

MM C-2 During project construction, the City shall require internal combustion engines/construction equipment operating on all future project sites ~~greater than five acres~~ to meet the following:

21

- ~~At least 50 percent of construction equipment greater than 250 hp, which are on-site for 6 or more consecutive days, shall meet Tier 3 emissions standards or better and be outfitted with BACT devices (e.g., Level 3 diesel emissions control devices) certified by CARB.~~
- Consistent with measures that other lead agencies in the region (including Port of Los Angeles, Port of Long Beach, Metro and City of Los Angeles)<sup>8</sup> have enacted, require all on-site construction equipment to meet EPA Tier 3 or higher emissions standards according to the following:
- Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

<sup>8</sup> For example see the Metro Green Construction Policy at:

[http://www.metro.net/projects\\_studies/sustainability/images/Green\\_Construction\\_Policy.pdf](http://www.metro.net/projects_studies/sustainability/images/Green_Construction_Policy.pdf)

- Post January 1, 2016, in addition to the Tier 3 standards specified above, an additional 20 percent or more of construction equipment greater than 250 hp, which are on site for 6 or more consecutive days, shall meet Tier 4 emissions standards or better and be outfitted with BACT devices (e.g., and be outfitted with BACT devices (e.g., Level 3 diesel emissions control devices) certified by CARB.

Recommended Additions

- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NOx emissions requirements.
- A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
- Encourage construction contractors to apply for SCAQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program provides funds to accelerate clean up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at the following website:  
<http://www.aqmd.gov/home/programs/business/business-detail?title=vehicle-engine-upgrades>

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(cont.)

For additional measures to reduce off-road construction equipment, refer to the mitigation measure tables located at the following website:  
<http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies> .

22

**LETTER H**

South Coast Air Quality Management District  
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(March 5, 2015)

**RESPONSE H-1**

This comment provides a general introduction to the comments raised in this letter. Responses to the comments contained in this letter are provided below in Responses to Comments H-3 through H-22.

**RESPONSE H-2**

This comment provides a general overview of the Project. This comment is noted.

**RESPONSE H-3**

The comment is noted. The Draft EIR addressed construction and operational air quality impacts in Section 4.C, Air Quality, with supporting technical data and analysis provided in Appendix 4.C. As shown in Table 4.C-14 on page 4.C-71, mitigated construction emissions of nitrogen oxides (NO<sub>x</sub>) would exceed the South Coast Air Quality Management District (SCAQMD) regional daily significance thresholds. As shown in Table 4.C-6 on page 4.C-48, operational emissions of VOCs, NO<sub>x</sub>, CO, PM<sub>10</sub> and PM<sub>2.5</sub> would exceed the SCAQMD daily regional significance thresholds. As a result, the Draft EIR determined that construction and operational air quality impacts would be considered significant for the respective pollutants.

As shown in Table 4.C-12 on page 4.C-62 and Table 4.C-15 on page 4.C-72, the unmitigated maximum incremental increase in cancer risk for future on-site residential receptors within 500 feet of Interstate 15 and Interstate 210 would be 47 in one million and the mitigated maximum incremental increase in cancer risk would be 33 in one million, which would exceed the SCAQMD's recommended CEQA significance threshold of a 10 in one million incremental increase in the maximum individual cancer risk (MICR). As a result, the Draft EIR determined that health risk impacts to future on-site residential receptors within 500 feet of Interstate 15 and State Route 210 would be considered significant.

**RESPONSE H-4**

The comment is noted. Please refer below for detailed responses to comments on assumptions made in the health risk assessment and air quality analyses. In addition, please refer to Responses to Comments H-6 through H-10 for additional responses to comments concerning the health risk assessment.

Section 4.C, Air Quality, of the Draft EIR provided a localized significance thresholds (LST) analysis for on-site construction emissions for planning areas five acres or less that would be anticipated to entail substantial construction activity (Planning Areas 12, 13, and 34). As shown in Table 4.C-7 on page 4.C-52 of the Draft EIR, the results of the construction LST analysis indicated that construction activity for individual implementing projects in planning areas less than five acres in size would not be anticipated to exceed the

LSTs at nearby sensitive receptors (i.e., residents, students, school staff, etc.). For planning areas greater than five acres, Mitigation Measure C-8 requires future implementing projects to conduct an LST analysis and mitigate potentially significant impacts accordingly utilizing approved mitigation measures, such as those outlined in Mitigation Measures C-1 through C-7. Because the Westgate Specific Plan is intended to guide future development of the project area and specific implementing projects have not been proposed, project-specific level information is not available. For this reason, it is generally not possible to determine localized construction emissions on a project-level basis, particularly for larger construction projects, without speculating on the types and activity levels of hypothetical future uses. Therefore, Mitigation Measure C-8 is both reasonable and appropriate.

With respect to operational LST impacts, localized emissions from on-site mobile sources at the proposed warehouse/distribution, light industry, commercial/retail and other land uses may potentially impact nearby sensitive receptors. As described in the Draft EIR Chapter 2.0, Project Description, page 2-22, Planning Area 41 would provide for warehouse and distribution uses. Operation of the warehouse and distribution uses in Planning Area 41 would generate on-site operational emissions that would not exceed the LSTs for a five acre site with adjacent sensitive receptors. The operational LST analysis for the warehouse and distribution uses in Planning Area 41 has been incorporated into Section 3.0, Corrections and Additions to the Draft EIR, in this Final EIR.

With respect to operational LST impacts from other future implementing projects, as discussed on page 4.C-54 of the Draft EIR, residential and commercial future projects would not be substantial sources of on-site emissions that would be anticipated to cause an exceedance of the SCAQMD LSTs and would not warrant an LST analysis. Sources such as residential water heaters, commercial-scale boilers result in minimal emissions by virtue of combusting natural gas. Future industrial uses may warrant an LST analysis; however, the Westgate Specific Plan is intended to guide future development of the project area and specific implementing projects have not been proposed. As such, project-specific level information is not available for specific industrial uses. For this reason, it is not possible to determine localized operational emissions on a project-level basis, including stationary source and industrial process emissions, without speculating on the types and activity levels of hypothetical future industrial uses. Therefore, the Draft EIR provided a qualitative assessment of potential operational LST impacts and determined that mitigation measures would be required for future industrial implementing projects. Mitigation Measure C-15 requires that future projects with industrial uses to conduct an individual localized impact analysis and that any potentially significant impacts must be mitigated accordingly utilizing approved mitigation measures, such as those outlined in Mitigation Measures C-9 through C-14.

In addition, please refer below to Responses to Comments H-17 through H-21 for responses to specific comments regarding additions and changes to the mitigation measures provided in the Draft EIR.

### **RESPONSE H-5**

This comment requests written responses for all comments contained in the comment letter. Written responses to the comments contained in the letter are provided herein and are incorporated as part of the Final EIR.

## **RESPONSE H-6**

The dispersion modeling analyses for the Warehouse Health Risk Assessment (HRA) and Freeway HRA were conducted utilizing the most updated version of AERMOD that was available at the time the analyses were conducted for the Draft EIR. AERMOD is continually updated by the U.S. Environmental Protection Agency (USEPA) and the mere existence of an updated version of AERMOD does not render prior modeling analyses, including those conducted for past CEQA documents, invalid. Nonetheless, as requested in the comment, the HRAs have been updated using the latest version of AERMOD (version 14134). In accordance with the SCAQMD comment, the dispersion modeling analyses have been conducted using regulatory default options without the use of the "FASTALL" or "FLAT" options and without the use of the Lakes AERMOD MPI (enables to use of multi-core computer processors). Both the Warehouse HRA and Freeway HRA utilize the same set of meteorological data (2008-2012, Font7.sfc and Font7.pfl) from the SCAQMD's website (SCAQMD Fontana meteorological station). The results from the updated dispersion modeling analyses for the Warehouse HRA and Freeway HRA are generally similar to that disclosed in the Draft EIR and impacts are generally the same as that discussed in the Draft EIR. The results have been incorporated into Section 3.0, Corrections and Additions to the Draft EIR, in this Final EIR. Additional updates have also been incorporated into the HRAs as discussed in Response to Comment H-9 and Response to Comment H-14, which also results in impacts are generally the same as that discussed in the Draft EIR.

## **RESPONSE H-7**

The Warehouse HRA and Freeway HRA utilized receptor grids consistent with the SCAQMD recommended AERMOD modeling guidance of no more than a 100-meter spacing between receptor points covering existing residential areas and areas zoned or planned for residential development. As recommended by the SCAQMD's comment, a graphic showing the receptor placement using a receptor grid of no more than 100-meter spacing over existing residences and area zoned or planned for residential development has been included in the Final EIR.

## **RESPONSE H-8**

Implementation of the Westgate Specific Plan would allow for development of two elementary schools, one each in Planning Areas 7 and 65, and one high school in Planning Area 39 (refer to Figure 2-7, *Proposed Land Use Plan*, in the Draft EIR). As discussed on page 4.C-32 in Section 4.C, *Air Quality*, of the Draft EIR, the California Air Resources Board (CARB) has published the *Air Quality and Land Use Handbook*, which serves as a general guide for considering impacts to sensitive receptors from facilities that emit toxic air contaminants (TACs). The purpose of the guidance is to provide recommendations to protect sensitive receptors, such as children, the elderly, acutely ill, and chronically ill persons, from exposure to TAC emissions, but are voluntary and do not constitute a requirement or mandate for either lead agencies or local air districts. The guidance recommends that sensitive receptors be located 500 feet or more from the edge of the closest traffic lane of a freeway. According to the guidance, freeway studies have indicated that vehicle-related pollutants, including ultra-fine particles, decreased dramatically within approximately 300 feet from the roadway. Additionally, concentrations of traffic related pollutants declined with distance from the road, primarily in the first 500 feet. The three Planning Areas that would allow for the development of schools would be located beyond the 500 foot distance from the nearest freeway. Nonetheless, for disclosure purposes and to be consistent with Section 17213 of the Education Code and Section 21151.8 of the Public Resources Code relating to public schools, the maximum potential risk at school receptors has been evaluated. The results indicate that the maximum potential risk at school receptors would be substantially

below the maximum risk disclosed in the Draft EIR. The results are incorporated into Section 3.0, Corrections and Additions to the Draft EIR, in this Final EIR.

With respect to the Warehouse HRA, receptors were placed in areas with existing and future planned sensitive receptors out to a distance of at least one-quarter mile from the boundary of Planning Area 41, which is a standard distance for evaluating stationary sources. The receptor grid generally covered the portions of Planning Areas 7, 39 and 65 nearest to the proposed warehouse and distribution uses in Planning Area 41. For disclosure purposes, the maximum potential risk at school receptors has been evaluated. The results indicate that the maximum potential risk at school receptors would be substantially below the maximum risk disclosed in the Draft EIR. The results are incorporated into Section 3.0, Corrections and Additions to the Draft EIR, in this Final EIR. It should be noted that Planning Area 7 is located approximately 1.7 miles to the northeast of the proposed warehouse and distribution uses in Planning Area 41 and as such would not result in measureable elevated health risks from warehouse-related emissions.

#### **RESPONSE H-9**

As discussed on page 4.C-11 in Section 4.C, *Air Quality*, of the Draft EIR, CARB has adopted an Air Toxics Control Measure (ATCM) that limits idling to five minutes for diesel-fueled commercial vehicles, including trucks. The Warehouse HRA that evaluated potential health impacts from Planning Area 41, which would provide for warehouse and distribution uses, incorporated 10 minutes of idling time per truck (i.e., 5 minutes for an inbound truck trip and 5 minutes for an outbound truck trip). The comment recommends assuming 15 minutes of idling time per truck. However, the comment does not provide substantial evidence to support the use of this assumption. The City has determined that 10 minutes of idling provides for a reasonably conservative estimate of on-site idling emissions given that trucks would be required to comply with the CARB ATCM, and that the associated health risks from idling emissions were conservatively estimated. Nonetheless, in order to provide for an even greater degree of conservatism in the evaluation of potential health risks, the Warehouse HRA has been updated to incorporate an assumed 15 minutes of idling (i.e., 5 minutes for an inbound truck trip, 5 minutes for an outbound truck trip, and 5 additional on-site minutes). The results from the updated dispersion modeling analyses for the Warehouse HRA have been incorporated into Section 3.0, Corrections and Additions to the Draft EIR, in this Final EIR. Additional updates have also been incorporated into the Warehouse HRA as discussed in Response to Comment H-6 and Response to Comment H-14.

#### **RESPONSE H-10**

Section 4.C, *Air Quality*, of the Draft EIR, assessed the potential for health risk impacts to sensitive receptors. For sensitive receptors located within 500 feet of a freeway, potential impacts from TAC emissions from vehicles traveling on Interstate 15 and State Route 210 were assessed in the Freeway HRA. For sensitive receptors located within one-quarter mile of Planning Area 41, which would allow for the development of warehouse and distribution uses, potential impacts from TAC emissions from diesel-fueled trucks were assessed in the Warehouse HRA.

The Westgate Specific Plan does not include residential planning areas that would be simultaneously located within 500 feet from a freeway and one-quarter mile from Planning Area 41 (warehouse and distribution uses). Because none of the planning areas designated as residential meet both of the distance criteria, a combined freeway and warehouse risk assessment is not required and no further analysis is necessary for the residential planning areas. For mixed-use planning areas (which may include residential uses), portions

of Planning Area 27 and Planning Area 42 would be simultaneously located within 500 feet from a freeway and one-quarter mile from Planning Area 41 (warehouse and distribution uses). Therefore, since receptors located in portions of Planning Area 27 and Planning Area 42 would meet both of the distance criteria, the maximum combined risk from the Freeway HRA and the Warehouse HRA has been incorporated into Section 3.0, Corrections and Additions to the Draft EIR, in this Final EIR. Based on the results, the maximum combined potential increase in risk based on the Freeway HRA and the Warehouse HRA for sensitive receptors located in portions of Planning Area 27 and Planning Area 42 is similar to the maximum risk already reported in the Draft EIR, which disclosed potentially significant and unavoidable health risk impacts. It should be noted that the Westgate Specific Plan does not include residential uses in Planning Area 42. Thus, the maximum combined risk would only apply to Planning Area 42 if future changes to the Specific Plan are made to include residential uses.

### **RESPONSE H-11**

For the high-cube warehouse distribution center land use, the Air Quality Impact Analysis utilizes the trip generation rates in the Traffic Impact Analysis (TIA). Table 5 of the TIA shows the trip generation rates for this land use. The trip generation is based on the aforementioned Institute of Transportation Engineers rates and the Truck Trip Generation Study, City of Fontana, August 2003. The Institute of Transportation Engineers provides the daily, morning peak hour, and evening peak hour rates while the Truck Trip Generation Study, City of Fontana, August 2003 provides the truck mix breakdown by axle. The passenger car rate is thus 1.337 with the total truck rate of 0.343. This provides for 418 daily truck trips. For traffic purposes, the trucks are converted into passenger car equivalents (PCE) with a 2-axle truck using a factor of 1.5, a 3-axle truck using a factor of 2.0, and 4+-axle trucks using a factor of 3.0. The daily truck rate converted to passenger car equivalent's is 1,053 daily trips. This methodology for determining the trip generation for high-cube warehouse distribution centers is standard practice for the City of Fontana, as well as throughout most jurisdictions in Southern California.

It should be noted that the operational emissions analysis utilized an artificially high daily trip rate of 2.2 daily trips per 1,000 square feet for the warehouse and distribution land uses. This trip rate incorporates a passenger car equivalents (PCE) conversion for the warehouse trucks. The PCE rate assumes that a light-heavy duty truck results in traffic congestion equivalent to 1.5 passenger vehicles, a medium-duty truck results in traffic congestion equivalent to 2.0 passenger vehicles, and a heavy-duty truck results in traffic congestion equivalent to 3.0 passenger vehicles. For emissions calculations purposes, using PCE-adjusted trip rates overestimates emissions. The actual trip rate for the high-cube warehouse distribution center, as reported in the TIA, is 1.68 daily trips per 1000 square feet. Based on the above, the correction to the warehouse and distribution land use trip rate is incorporated into Section 3.0, Corrections and Additions to the Draft EIR, in this Final EIR. It is noted that the revised operational emissions are generally similar to that disclosed in the Draft EIR and impacts are generally the same as that discussed in the Draft EIR. Refer to Response to Comment H-12 and H-13 for additional changes to the mobile source emissions for the warehouse and distribution uses in Planning Area 41.

### **RESPONSE H-12**

The vehicle fleet mix that is included in the air quality modeling has been derived from the TIA, which is based on the Institute of Transportation Engineer's (ITE) *Trip Generation Manual (9th edition)* and the City of Fontana's *Truck Trip Generation Study*. Although the comment letter cites the ITE Trip Generation Manual, it is unclear where the SCAQMD has derived 0.64 trips per 1,000 square feet of building space, as this data

cannot be verified. In fact, a review of the ITE's *Trip Generation Manual (9th Edition) Volume 1: User's Guide and Handbook* includes a direct reference to the City of Fontana *Truck Trip Generation Study*, which was used in the project's TIA to derive the 20.43 percent truck trips. The ITE Trip Generation Manual (Table A.4) identifies a rate of 0.38 trips per 1,000 square feet for Light and Heavy Warehouse Use; this value is generally consistent with the City of Fontana's rate of 0.343 trips per 1,000 square feet (LU 150) that is used in the project's TIA. The use of the City of Fontana's *Truck Trip Generation Study* was an effort to disclose project impacts by utilizing trip generation rates tailored specifically to the City and supported by substantial evidence.

The vehicle fleet mix for the warehouse and distribution land uses in the California Emissions Estimator Model (CalEEMod) inputs have been revised to reflect the appropriate fleet percentage of on-road trucks corresponding to the daily trucks trips estimated for the use (refer to Response to Comment H-11). The fleet mix is adjusted as a weighted average based on 418 daily truck trips, which represents 20.43 percent of the daily trips for the warehouse and distribution land uses (1,218,000 square feet). The other land uses are assumed to have a vehicle fleet mix based on unadjusted CalEEMod recommended values. Based on this methodology, the truck fleet mix for the Phase I (2018) scenario is estimated at 7.83 percent (LHD2, MHD, and HHD categories). The truck fleet mix for the Full Buildout (2035) scenario is estimated at 7.92 percent (LHD2, MHD, and HHD categories). The other non-heavy-duty truck categories are proportionately adjusted downward such that the total vehicle fleet remains 100 percent. The revised operational emissions are generally similar to that disclosed in the Draft EIR and impacts are generally the same as that discussed in the Draft EIR. The updated emissions are incorporated into Section 3.0, Corrections and Additions to the Draft EIR, in this Final EIR. Refer to Response to Comment H-11 and H-13 for additional changes to the mobile source emissions for the warehouse and distribution uses in Planning Area 41.

### **RESPONSE H-13**

Consistent with trip length assumptions methodology used in similar EIRs prepared by the City,<sup>2</sup> the truck trip lengths used for the proposed warehouse and distribution uses in Planning Area 41 are revised based on the following distance measurements between the Project site and anticipated major trip origination and destination locations:

- Project site to the Port of Los Angeles/Long Beach: 51 miles;
- Project site to Banning Pass: 39 miles;
- Project site to San Diego County line: 50 miles;
- Project site to Cajon Pass: 11 miles;
- Project site to downtown Los Angeles: 47 miles.

Assuming that 50 percent of all delivery trips will travel to and from the project site and the Port of Los Angeles/Long Beach, and the remainder as distribution trips to all other locations, the average truck trip length is calculated as 53 miles. An overall weighted-average trip length for the proposed project was calculated using the percentage of trips associated with passenger cars (including light duty trucks) versus heavy trucks, the passenger car trip length of 16.6 miles for commercial-work trips (comprising 59 percent)

<sup>2</sup> City of Fontana, *Draft Environmental Impact Report, Sierra Pacific Center II Project, SCH 2014091001, November 21, 2014*.

and 6.9 miles for commercial–non-work trips (comprising 41 percent) and a truck trip length of 53 miles for both commercial–work and commercial–non-work trips. The resulting weighted average trip length of 24.0 miles for commercial–work and 16.3 miles for commercial–non-work was entered into the CalEEMod model calculations. The revised operational emissions are generally similar to that disclosed in the Draft EIR and impacts are generally the same as that discussed in the Draft EIR. The updated emissions are incorporated into Section 3.0, Corrections and Additions to the Draft EIR, in this Final EIR. Refer to Response to Comment H-11 and H-12 for additional changes to the mobile source emissions for the warehouse and distribution uses in Planning Area 41.

#### **RESPONSE H-14**

The Draft EIR air quality analysis for the Westgate Specific Plan included the use of a relatively small number of transportation refrigeration units (TRUs) operating at and traveling to and from Planning Area 41 (warehouse and distribution land uses). However, the Applicant has clarified with the City that refrigerated warehouse uses are not contemplated as part of the Specific Plan and that TRUs would not operate at or travel to and from Planning Area 41. Therefore, the discussion of TRUs has been removed from Section 4.C, *Air Quality*, of the Draft EIR. Given that refrigerated warehouse uses and TRUs are not part of the project, the operational emissions, as estimated via CalEEMod, are not required to be revised using “refrigerated warehousing” land uses. Additionally, the Warehouse HRA has been updated to remove the TRU-associated emissions and the potential health risk impacts have been revised accordingly and incorporated into Section 3.0, Corrections and Additions to the Draft EIR, in this Final EIR. Additional updates have also been incorporated into the Warehouse HRA as discussed in Response to Comment H-6 and Response to Comment H-9. Based on these changes, Mitigation Measure C-12 has also been revised to require on-site electrical connections for trucks at loading docks and dedicated delivery areas.

#### **RESPONSE H-15**

As discussed on pages 4.C-54 through 4.C-63 in Section 4.C, *Air Quality*, of the Draft EIR, the Freeway HRA determined that adverse air quality impacts from vehicles traveling on the existing Interstate 15 and State Route 210 freeways would potentially expose sensitive receptors to TAC emissions level that could exceed the risk-based threshold of significance even with the implementation of mitigation measures. Mitigation Measure C-16 is discussed on page 4.C-70, and include requiring a minimum setback distance between residential units and the nearest right-of-way of Interstate 15 or State Route 210 and requiring high-efficiency air filters for residential units located within 500 feet of either freeway.

The comment suggests mitigation measures to reduce potential exposures such as building filtration systems, placing residential units furthest from the freeway, making any windows facing the freeway inoperable, building sound walls, and planting vegetation barriers. As discussed above, the Draft EIR incorporates mitigation measures that require a minimum setback distance between residential units and the nearest right-of-way of Interstate 15 or State Route 210. In addition, the mitigation measures require the installation of high-efficiency air filters for residential units located within 500 feet of either freeway.

With respect to inoperable freeway-facing windows, Mitigation Measure K-1 in Section 4.K, *Noise*, of the Draft EIR requires that interior noise levels for residential structures meet the 45 decibel A-weighted (dBA) community noise equivalent level (CNEL) standard and that inoperable windows may be required to meet the standard. Mitigation Measure K-1 would ensure that residential structures that are close to the freeway and have freeway-facing windows would have inoperable windows in order to meet the interior noise

standard of 45 dBA CNEL. As a result, Mitigation Measure K-1 would have co-benefits of reducing TAC exposures for residential units close to the freeway. Because Mitigation Measure K-1 would also serve the intended purpose of reducing TAC exposures at residential units close to the freeway with freeway-facing windows, no additional measure is required.

Sound walls and vegetation barriers in planning areas designated for residential uses would not reduce TAC exposures for residential units located above the ground floor in multi-story buildings. In addition, barriers that are located close to residential structures could result in localized hotspots of freeway TAC emissions. A study prepared by the University of California, Riverside (UCR), found that barriers create recirculation zones within a cavity behind the barrier where pollutant levels remain constant.<sup>3</sup> Barriers also result in vertical lofting of the pollutants above the barrier.<sup>4</sup> The creation of recirculation zones and the vertical lofting of pollutants could inhibit pollutant dispersion or result in localized hotspots adversely impacting residential units in or near these recirculation zones or directly in the path of the vertical lofting. Vegetation barriers have additional limits on pollution removal efficiencies. A wind tunnel study concluded that removal efficiency is highly dependent on wind speeds and that speeds in excess of about two meters per second (4.5 miles per hour) would remove less than 25 percent of very fine particles.<sup>5</sup> Therefore, it is not recommended that a mitigation measure that requires barriers close to residential structures be included as such a measure would not reduce TAC exposures for residential units. The UCR study suggests that barriers located directly adjacent to a freeway and placed upwind of receptors may reduce downwind ground-level pollutant concentrations out to approximately 600 meters (1,970 feet) based on predicted pollutant concentrations from three computer models.<sup>6</sup> Mitigation Measure K-1 in Section 4.K, *Noise*, of the Draft EIR requires that Planning Areas 2, 6, 8, 24, and 26, which are located adjacent to Interstate 15 and/or State Route 210 and may contain residential uses, construct sound walls or equivalent physical barriers at the property lines along Interstate 15 and State Route 210 prior to occupancy of residential uses. Because Mitigation Measure K-1 would also serve the intended purpose of potentially reducing TAC exposures at residential units downwind of Interstate 15 and State Route 210, no additional measure is required.

The effectiveness of Mitigation Measure C-16 is discussed on page 4.C-72 of the Draft EIR. As stated, the analysis incorporated pollutant removal efficiency from the high-efficiency air filters based on the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE) Standard 52.2. The analysis of mitigated impacts concluded that operational impacts of the proposed Westgate Specific Plan with respect to health risks to residential receptors, after incorporating feasible mitigation measures, would be considered significant and unavoidable.

## **RESPONSE H-16**

The analysis of the potential health risk impacts after implementation of Mitigation Measure C-16 included limitations of the proposed high-efficiency air filters. As discussed in Response to Comment H-15, the analysis of the mitigated health risk impacts accounted for pollutant removal efficiency from the high-efficiency air filters based on the ASHRAE Standard 52.2. The information provided in the comment

<sup>3</sup> University of California, Riverside, *Effects of Sound Barriers on Dispersion from Roadways*, Final Report, June 17, 2013, p. 34.

<sup>4</sup> *Ibid.* p. 34.

<sup>5</sup> Fujii, E., et al., *Breathe California of Sacramento-Emigrant Trails Health Task Force, Removal Rates of Particulate Matter onto Vegetation as a Function of Particle Size*, April 30, 2008.

<sup>6</sup> *Ibid.* p. 3.

regarding filter costs and energy costs are provided incorporated into the Final EIR and are made available to decisions makers and the public. However, cost information is not used as a factor in determining feasibility of a mitigation measure under CEQA. As stated in the comment, the proposed high-efficiency air filters in Mitigation Measure C-16 would not filter out gaseous emissions of TACs and would only filter particulate matter, which includes diesel particulate matter. In addition, as stated in the comment, the filters would not reduce exposures when residents are outside of their homes. As a result, it is clarified that the mitigated health risks would be reduced to 33 in one million assuming that residents are located indoor with operable filters 100 percent of the time. Given that the time individual residents spend indoors and outdoors is highly variable and subject to a number of factors including individual lifestyle choices, it is not possible to predict with any certainty the mitigated health risks accounting for time spent indoors and outdoors. Nonetheless, the analysis of mitigated impacts concluded that operational impacts of the proposed Westgate Specific Plan with respect to health risks to residential receptors, after incorporating feasible mitigation measures, would be considered significant and unavoidable.

It is also noted that the proposed high-efficiency air filters would require specifically designed heating, ventilation, and air conditioning (HVAC) systems that draws enough air to support the filter system. The Westgate Specific Plan is intended to guide future development of the project area and specific implementing projects have not been proposed. At such time that future implementing residential projects are proposed within the Westgate Specific Plan area and within 500 feet of the freeway, it is expected that the project would necessarily be designed with HVAC systems that draw enough air to support the proposed filter system specified in Mitigation Measure C-16 and that such systems would be designed to full operate throughout the life of the project.

#### **RESPONSE H-17**

As discussed on pages 4.C-47 through 4.C-49 in Section 4.C, *Air Quality*, of the Draft EIR, operational emissions of VOCs, NO<sub>x</sub>, CO, PM<sub>10</sub> and PM<sub>2.5</sub> would exceed the SCAQMD regional thresholds of significance. As shown in Table 4.C-6 of the Draft EIR, the majority of the emissions are from on-road mobile sources; therefore, the majority of the emissions would occur from Project-related vehicles and trucks traveling over regional roadways.

Because the Westgate Specific Plan site is currently undeveloped, this analysis took the conservative approach of counting all emissions as net new. In reality, many future employees, residents, and visitors to the amenities that would be provided by implementation of the Westgate Specific Plan likely already travel within the South Coast Air Basin and generate mobile source emissions there. For example, a new retail development implemented pursuant to the Westgate Specific Plan could redistribute existing vehicle trips from a similar existing retail development. In such cases, regional mobile source emissions could be unchanged or even reduced if the new retail development is located closer to customers compared to the existing retail development. It is unknown to what extent new developments implemented pursuant to the Westgate Specific Plan would result in net new emissions or would relocate or redistribute existing sources of emissions. As such, the emissions shown in Table 4.C-6 are based on the highly conservative assumption that operation of the land uses proposed under the Westgate Specific Plan would result in all net new emissions. It is likely that the actual incremental increase in regional emissions from operation of the land uses proposed under the Westgate Specific Plan could be substantially lower. Nevertheless, the Draft EIR concluded that impacts related to regional emissions from operation of the Westgate Specific Plan would be potentially significant, requiring mitigation. Implementation of Mitigation Measures C-9 through C-17 would

reduce operational emissions. However, impacts would remain significant and unavoidable after implementation of feasible mitigation.

The comment recommends changes to the existing operational mitigation measures and that additional mitigation measures be adopted. The feasibility and inclusion of the operational mitigation measures recommended in the comment are discussed below.

*Recommended Change:* The comment recommends that Mitigation Measure C-13 incorporate changes to require future implementing projects to require preferential parking for ultra-low emission, zero emission, and alternative-fueled vehicles and electric vehicle charging stations instead of allowing the options of one or the other.

*Discussion:* Mitigation Measure C-13 has been revised as recommended in the comment. The revised Mitigation Measure C-13 has been incorporated into the Final EIR. Additional revisions have been made to Mitigation Measure C-13 as discussed in Response to Comment H-18.

*Recommended Measure:* Require the use of 2010 compliant diesel trucks, or alternatively fueled, delivery trucks (e.g., food, retail and vendor supply delivery trucks) at commercial/retail sites upon project build-out. If this isn't feasible, consider other measures such as incentives, phase-in schedules for clean trucks, etc.

*Discussion:* As discussed on pages 4.C-11 and 4.C-12 in Section 4.C, Air Quality of the Draft EIR, in 2008, CARB approved the Truck and Bus regulation to reduce particulate matter (PM) and NO<sub>x</sub> emissions from diesel vehicles operating in California (CARB Rules Chapter 1, Section 2025, subsection (h)). CARB has worked closely with the USEPA, engine and vehicle manufacturers, and other interested parties to enact a combination of measures, including regulations requiring the use of ultra-low sulfur diesel fuel, new emission standards, restrictions on idling, addition of post-combustion filter and catalyst equipment, and retrofits for diesel truck fleets, that would achieve particulate matter and NO<sub>x</sub> emissions reductions. These measures are expected to result in substantial reductions in PM and NO<sub>x</sub> emissions, as well as volatile organic compounds (VOC) and carbon monoxide (CO) emissions, as they are fully implemented.

The regulation was amended in December 2010, and applies to nearly all diesel fueled trucks and busses with a gross vehicle weight rating (GVWR) greater than 14,000 pounds. For the largest trucks in the fleet, those with a GVWR greater than 26,000 pounds, there are two methods to comply with the requirements. The first way is for the fleet owner to retrofit or replace engines, starting with the oldest engine model year, to meet 2010 engine standards, or better. This is phased over 8 years, starting in 2015 and would be fully implemented by 2023, meaning that all trucks operating in the State subject to this option would meet or exceed the 2010 engine emission standards for NO<sub>x</sub> and PM by 2023. The second option, if chosen, requires fleet owners, starting in 2012, to retrofit a portion of their fleet with particulate matter filters (DPFs) achieving at least 85 percent removal efficiency, so that by January 1, 2016 their entire fleet is equipped with DPFs. However, DPFs do not lower NO<sub>x</sub> emissions. Thus, fleet owners choosing the second option must still comply with the 2010 engine emission standards for their trucks and buses.

In light of the Truck and Bus Regulation, the only effect of SCAQMD's proposed mitigation measure would be to require the upgrade or replacement of newer, relatively cleaner trucks accessing the project site a few years sooner than otherwise required by the Truck and Bus Regulation. Thus, this proposed measure would

only expedite the reduction of project-related diesel particulate matter emissions, which would equate to only a slight reduction over the approximately five years between 2018 (the anticipated operational year of Phase I as analyzed in the Draft EIR) and 2023. This slight reduction in emissions from the proposed mitigation measure would not avoid or significantly lessen any of the Project's significant impacts.

In addition, with respect to reducing regional-level emissions, the measure would likely result in no reduction or, at best, a nominal reduction in regional emissions since it is unlikely that the measure will result in the replaced older trucks ceasing operation within the South Coast Air Basin. Given the great number of other warehouse and industrial operations within the South Coast Air Basin and in the vicinity of the Specific Plan area, the measure would have only a nominal effect on regional-level emissions as these older trucks would be redistributed and used at other facilities.

Furthermore, the measure is not feasible given than the Project is a Specific Plan and not a project-level assessment. Specific future potential tenants have not been identified and the City cannot know if sure a future tenant can comply with this measure with respect to corporate fleets and independent suppliers. Coupled with the fact that older trucks would likely be redistributed and used at other facilities in the area, the proposed measure would only serve to restrict future implementing projects in the Westgate Specific Plan and, as a byproduct, restrict the potential pool of tenants (those serviced by newer trucks).

Moreover, the hypothetical slight reduction in emissions that could be realized during the first few years of project operations by implementing the proposed measure is particularly minimal because health risks associated with such emissions are generally assumed to occur based on individual lifetime exposures for many years (i.e., 70 years, 350 days a year). Requiring the proposed Project to advance the date of compliance for the Truck and Bus Regulation would not significantly reduce diesel particulate matter (DPM) exposure to the sensitive receptors proximate to the Project. Accordingly, again, the slight reduction in regional-level emissions from the proposed mitigation measure would not avoid or significantly lessen any of the project's significant impacts and is not required.

*Recommended Measure:* Provide minimum buffer zone of 300 meters (approximately 1,000 feet) between truck traffic and sensitive receptors based on guidance from the California Air Resource Board (CARB) guidance.<sup>7</sup>

*Discussion:* The recommended mitigation measure requiring a minimum buffer zone of 300 meters (approximately 1,000 feet) between truck traffic and sensitive receptors is based recommendations from the CARB *Air Quality and Land Use Handbook* for distribution centers. As discussed on page 4.C-61 of the Draft EIR, the recommendations are advisory and should not be interpreted as defined "buffer zones." The *Air Quality and Land Use Handbook* states that it is up to lead agencies to balance other considerations, including housing and transportation needs, economic development priorities, and other quality of life issues.<sup>8</sup> In addition, the *Handbook* recognizes that "there is no 'one size fits all' solution to land planning."<sup>9</sup> Consistent with the CARB *Air Quality and Land Use Handbook*, the Westgate Specific Plan balances other considerations,

<sup>7</sup> California Air Resources Board, *Air Quality and Land Use Handbook: A Community Health Perspective*, April 2005, p. 4 for distribution centers.

<sup>8</sup> *Ibid.*, p. 4.

<sup>9</sup> *Ibid.*, p. ES-3.

such as housing and transportation needs, economic development priorities, and other quality of life issues. Chapter 2.0, *Project Description*, provides a list of Project objectives, which are intended to implement the Plan's Community Planning Vision. The objectives include: creating a vibrant community by incorporating a rich diversity of uses including retail, office, business park, residential, schools, parks, trails, and open space uses (Goal 1); Create a village structure (Goal 7); Develop a compact community to promote a healthy village character, enhance sustainability and conserve resources (Goal 9). Requiring an exclusion zone of 300 meters (1,000 feet) from truck traffic would be inconsistent with these Project objectives and would hinder the development of a rich diversity of uses and the creation of a village structure and compact community. In addition, as described in the Draft EIR Chapter 2.0, Project Description, page 2-22, Planning Area 41 would provide for warehouse and distribution uses adjacent to Interstate 15 and State Route 210 with nearby access to both freeways with on- and off-ramps on Cherry Avenue to the east and Baseline Avenue to the south (see Figure 2-7 in the Draft EIR). By design, the proximity of Planning Area 41 to Interstate 15 and State Route 210 would ensure that trucks travel minimal distances on roadways to access the freeways and would eliminate truck travel on residential streets thereby minimizing potential exposures to truck travel emissions. Because the suggested measure is not feasible and would not reduce truck travel emissions and associated exposures, it is not incorporated into the Final EIR.

*Recommended Measure:* Limit the daily number of trucks allowed at each facility to levels analyzed in the Final EIR. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the project through CEQA prior to allowing this higher activity level.

*Discussion:* The comment does not provide substantial evidence to support the claim that the daily number of truck trips that could result from implementation of the Westgate Specific Plan, including development of the warehouse and distribution uses in Planning Area 41, would be greater than the trips identified and analyzed in the Draft EIR. Refer to Response to Comment H-11 and Response to Comment H-12 regarding the daily truck trip rate and vehicle fleet mixture percentages. As a result, the suggested mitigation measure does not minimize an identified significant adverse impact and is not incorporated into the Final EIR. Future implementing projects developed pursuant to the Westgate Specific Plan would be required to conduct project-level environmental review as required by CEQA. Should these hypothetical future implementing projects include substantial changes that differ from the environmental analysis for the Westgate Specific Plan, an appropriate environmental document would be prepared as required by CEQA (e.g., Addendum, Mitigated Negative Declaration, etc.).

*Recommended Measure:* Design the site such that any check-in point for trucks is well inside the facility to ensure that there are no trucks queuing outside of the facility.

*Discussion:* The Westgate Specific Plan is intended to guide future development of the project area and specific implementing projects have not been proposed. No substantial evidence is available to conclude that potential development of a future facility under the Plan would result in significant off-site truck queuing impacts as specific facility site designs are not proposed. Therefore, the suggested mitigation measure does not substantially lessen or avoid an identified significant adverse impact and is not incorporated into the Final EIR.

*Recommended Measure:* On-site equipment should be alternative fueled.

**Discussion:** The recommended mitigation measure is not feasible as written because the Westgate Specific Plan does not identify specific tenants and therefore cannot predict the specific types of on-site equipment that would be needed. Thus it is not possible to determine the commercial availability of any such equipment. In addition, as discussed on page 4.C-48 in Section 4.C, *Air Quality*, of the Draft EIR, the majority of the operational period emissions are from mobile sources. The suggested mitigation measure would not reduce mobile source emission and would not substantially lessen or avoid an identified significant adverse impact. The suggested measure is not incorporated into the Final EIR.

**Recommended Measure:** Provide food options, fueling, truck repair and or convenience stores on-site to minimize the need for trucks to traverse through residential neighborhoods.

**Discussion:** The Westgate Specific Plan is intended to guide future development of the project area. The Plan is designed to achieve the objective to create a vibrant community and incorporate a rich diversity of uses including retail, office, business park, residential, schools, parks, trails, and open space uses (Goal 1). In addition, the Plan is designed to create pedestrian friendly connectivity to main activity nodes, including employment, shopping, schools and recreation (Goal 5). As such, the intent of the Westgate Specific Plan would be to provide for a mix of uses that may include food options, fueling, truck repair and or convenience stores in close proximity to other complementary land uses. Furthermore, as described in the Draft EIR Chapter 2.0, Project Description, page 2-22, Planning Area 41 would provide for warehouse and distribution uses adjacent to Interstate 15 and State Route 210 with nearby access to both freeways with on- and off-ramps on Cherry Avenue to the east and Baseline Avenue to the south (see Figure 2-7 in the Draft EIR). By design, the proximity of Planning Area 41 to Interstate 15 and State Route 210 would ensure that trucks travel minimal distances on roadways to access the freeways and would eliminate truck travel on residential streets thereby minimizing potential exposures to truck travel emissions. As a result, the suggested mitigation measure does not substantially lessen or avoid an identified significant adverse impact and is not incorporated into the Final EIR.

**Recommended Measure:** Improve traffic flow by signal synchronization.

**Discussion:** The City of Fontana already provides for timing coordination among signals within the City system with the goal of optimizing traffic flow. Furthermore, Mitigation Measure N-11 described in Section 4.N, *Transportation/Traffic*, of the Draft EIR, requires that intersection improvements, including installation of new traffic signals and modification of existing traffic signals, be implemented in accordance with the recommendations in Table 4.N-3. Because the City already provides timing coordination for signals and Mitigation Measure N-11 would serve the intended purpose of improving traffic flow, no additional measure is required.

**Recommended Measure:** Have truck routes clearly marked with trailblazer signs, so that trucks will not enter residential areas.

**Discussion:** Planning Area 41 would provide for warehouse and distribution uses adjacent to Interstate 15 and State Route 210 with nearby access to both freeways with on- and off-ramps on Cherry Avenue to the east and Baseline Avenue to the south (see Figure 2-7 in the Draft EIR). By design, the proximity of Planning Area 41 to access routes for Interstate 15 and State Route 210 would already serve to eliminate truck travel

on residential streets. As a result, the suggested mitigation measure does not substantially lessen or avoid an identified significant adverse impact and is not incorporated into the Final EIR.

### **RESPONSE H-18**

Mitigation Measure C-13, as revised in Response to Comment H-17, requires that future residential, commercial, and industrial projects provide electric vehicle charging stations within the development. In addition, the measure is revised to specify that future commercial and industrial projects with truck loading areas or docks shall provide appropriate infrastructure to facilitate sufficient electric charging for trucks to plug-in while loading or unloading. It is not feasible that the Project require 5 percent of all vehicle and truck parking spaces to include electric charging stations. Mid- to long-term parking is not expected for trucks, as they are would be anticipated to spend a minimal amount of time on-site to load and unload trailer contents and perform administrative tasks. As such, trucks would not be expected to spend enough time on-site to utilize electric charging stations. In addition, it is speculative to assume that commercial electric trucks will be in common use in the future. According to a CARB technology assessment presentation, electric heavy-duty trucks are in the demonstration phase (the presentation references two heavy-duty demonstration projects).<sup>10</sup> While the potential exists for advancements in electric heavy-duty trucks, the potential for future commercial availability is unknown. Therefore, it is speculative to conclude that providing electric charging stations for trucks would result in any reduction in emissions.

For passenger vehicles, according to projections in the latest version of CARB's on-road vehicle emissions model, EMFAC2014, approximately 0.7 percent of light duty automobiles (LDA) and light-duty trucks (LDT1 and LDT2) operating in the South Coast Air Basin are anticipated to be electric in 2018. As such, it is not expected that there would be substantial numbers of electric vehicles operating in the Westgate Specific Plan area that would utilize electric charging stations. Based on the above, the installation of electric vehicle charging stations for 5 percent of all vehicle and truck parking spaces, at a time when such technology is not widely available is deemed technologically infeasible.

The comment also states that the City of Los Angeles, for all new projects, requires at least 5 percent of all vehicle parking spaces (including for trucks) include electric vehicle charging stations. However, this assertion is somewhat misleading. As per Ordinance No. 182849, the City of Los Angeles only requires that 5 percent of parking spaces for multi-family dwellings and commercial uses be capable of supporting future electric vehicle supply equipment (EVSE).<sup>11</sup> The City of Los Angeles does not require that 5 percent of parking spaces be equipped with EVSE. Furthermore, the California Green Building Standards (CALGreen) Code does not require that 5 percent of all vehicle parking spaces include electric charging stations. The CALGreen Code does include voluntary Tier 1 (3 percent) and Tier 2 (5 percent) standards for parking spaces capable of supporting the installation of future EVSE.

Given the relatively low percentage of electric vehicles currently in operation and that trucks would not be expected to spend time on-site to utilize electric charging stations, it is not feasible to require the Westgate Specific Plan to require that all future implementing projects to install electric vehicle charging stations for 5 percent of all vehicle and truck parking spaces. However, it is feasible for the Plan to encourage future EVSE

<sup>10</sup> California Air Resources Board, Medium- and Heavy-Duty Battery Electric Vehicles, Technology Assessment, September 2, 2014.

<sup>11</sup> City of Los Angeles, Municipal Code, Sections 99.04.106.4.2 and 99.05.106.5.3.1.

equipment and the measure has been revised to require the appropriate infrastructure that would support the installation of future EVSE.

Mitigation Measure C-13 has been revised and is incorporated into Section 3.0, Corrections and Additions to the Draft EIR, in this Final EIR (additional revisions have been made to Mitigation Measure C-13 as discussed in Response to Comment H-17).

As discussed in Response to Comment H-14, Mitigation Measure C-12 has been revised to require on-site electrical connections for trucks when loading or unloading at loading docks or dedicated delivery areas. Therefore, no additional measure is required.

### **RESPONSE H-19**

The comment suggests an alternative fueling facility (e.g., natural gas) to serve future large truck operation uses within the Westgate Specific Plan area could reduce emissions. However, there is no evidence to assume that such an alternative fueling facility (e.g., natural gas) would result in emissions reductions given that alternative-fueled (e.g., natural gas) trucks are not widely available for the following reasons. CARB is currently in the process of developing greenhouse gas regulations for medium- and heavy-duty engines that would affect future truck fleets. According to a CARB Staff Report, staff concluded that “any significant increase in the use of natural gas trucks, and hence increase in methane emissions from natural gas use and production, would be driven by a variety of factors in including economics, market dynamics, and market incentives that would occur with or without ARB’s proposed optional standards. Hence, staff concludes it is too speculative to determine whether any potential increase in methane emissions would result from a potential greater deployment of natural gas engines.”<sup>12</sup> Thus, based on the CARB staff report, it is too speculative to estimate future availability and use of alternative-fueled trucks given uncertainties including economics, market dynamics, and market incentives. As such, it is equally speculative to conclude that there would be a sufficient number of alternative-fueled trucks that would utilize an alternative fueling facility in the Westgate Specific Plan area to achieve substantial emissions reductions. Given its speculative nature, the suggested measure is not incorporated into the Final EIR. Nonetheless, the comment is noted and will be provided as information to the decision makers.

### **RESPONSE H-20**

The comment recommends that additional mitigation measures be adopted. The feasibility and inclusion of the operational mitigation measures recommended in the comment are discussed below.

*Recommended Measure:* Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on the building roofs and/or on the Project site to generate solar energy for the facility.

<sup>12</sup> California Air Resources Board, Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Greenhouse Gas (GHG) Regulations for Medium- and Heavy-Duty Engines and Vehicles, Optional Reduced Emission Standards for Heavy-Duty Engines, and Amendments to the Tractor-Trailer GHG Regulation, the Diesel-Fueled Commercial Motor Vehicle Idling Rule, and the Heavy-Duty Hybrid-Electric Vehicles Certification Procedures, October 23, 2013.

*Discussion:* The Westgate Specific Plan is intended to guide future development and does not propose specific projects. It is not feasible to require every building to install solar energy arrays. Nonetheless, as discussed in Section 4.C, *Air Quality*, in the Draft EIR, the Westgate Specific Plan would result in the development of a large-scale planned community that would meet the California Green Building Standards (CALGreen) code. The CALGreen code includes voluntary standards for solar-ready roofs that may be optionally implemented. Consistent with these voluntary standards, Mitigation Measure C-18 is added and incorporated into Section 3.0, Corrections and Additions to the Draft EIR, in this Final EIR.

*Recommended Measure:* Use light colored paving and roofing materials.

*Discussion:* As discussed in Section 4.C, *Air Quality*, in the Draft EIR, the Westgate Specific Plan would result in the development of a large-scale planned community that would meet the CALGreen code. The CALGreen code includes voluntary standards for cool roofs that may be optionally implemented. Consistent with these voluntary standards, Mitigation Measure C-19 is added and incorporated into Section 3.0, Corrections and Additions to the Draft EIR, in this Final EIR.

*Recommended Measure:* Utilize only Energy Star heating, cooling, and lighting devices, and appliances.

*Discussion:* As discussed in Section 4.C, *Air Quality*, in the Draft EIR, the Westgate Specific Plan would result in the development of a large-scale planned community that would meet the CALGreen code. The CALGreen code includes energy efficiency requirements for heating, ventilation, and air conditioning (HVAC) equipment as well as for lighting equipment and controls. Future implementing projects would be required to meet the CALGreen energy efficiency standards for HVAC equipment and lighting equipment and controls in effect at the time of building permit issuance. With respect to Energy Star-rated appliances, Mitigation Measure C-20 is added and incorporated into Section 3.0, Corrections and Additions to the Draft EIR, in this Final EIR for residential and commercial implementing projects.

*Recommended Measure:* Install light colored “cool” roofs and cool pavements.

*Discussion:* Refer to the previous discussion regarding cool roofs and cool pavements and Mitigation Measure C-19, which is incorporated into Section 3.0, Corrections and Additions to the Draft EIR, in this Final EIR.

*Recommended Measure:* Limit the use of outdoor lighting to only that needed for safety and security purposes.

*Discussion:* As discussed in Section 4.C, *Air Quality*, in the Draft EIR, the Westgate Specific Plan would result in the development of a large-scale planned community that would meet the CALGreen code. The CALGreen code includes energy efficiency requirements for outdoor lighting, including lighting zone requirements and backlight, uplight, and glare ratings. As limits to outdoor lighting are already included in the project, this measure is not incorporated into the Final EIR.

*Recommended Measure:* Require use of electric or alternatively fueled sweepers with HEPA filters.

*Discussion:* It is not known to what extent sweepers would be employed by any of the future implementing projects within the Westgate Specific Plan area making any reduction in emissions related to the use of electric or other alternatively fueled sweepers entirely speculative. Further, even if sweepers were employed to some extent by future tenants, the reduction in emissions related to the use of electric or other alternatively fueled sweepers would be slight. The City's duty to condition project approval on incorporation of feasible mitigation measures must concern measures that would "substantially lessen" a significant environmental effect (§ 21002; Guidelines, § 15021, subd. (a)(2)). Thus, the lead agency need not, under CEQA, adopt every "nickel and dime mitigation scheme brought to its attention." It is also noted that street sweeping services must comply with SCAQMD Rule 1186.1 (Less-Polluting Sweepers), which requires certain public and private sweeper fleet operators to acquire and operate alternative-fuel or otherwise less-polluting sweepers. Imposing the measure recommended by the commenter would not substantially lessen project impacts and thus, has not been incorporated into the Final EIR. Nonetheless, the comment is noted and will be provided as information to the decision makers.

*Recommended Measure:* Use of water-based or low VOC cleaning products.

*Discussion:* The Westgate Specific Plan is intended to guide future development and does not propose specific projects. The use of such products would be the decision of tenants of future implementing projects. It is currently unknown who the future tenants would be and what specific cleaning requirements they would have. However, in order to support the use of water-based or low VOC cleaning products, Mitigation Measure C-21 has been added and incorporated into Section 3.0, Corrections and Additions to the Draft EIR, in this Final EIR.

*Recommended Measure:* Make a commitment to install electric car charging stations (not just wiring infrastructure) for both non-residential and residential uses at the project site.

*Discussion:* Refer to Response to Comment H-18.

*Recommended Measure:* Create local "light vehicle" networks, such as neighborhood electric vehicle (NEV) systems.

*Discussion:* While the specific plan does not implement a "light vehicle" network or a NEV system, transportation and roadway improvements within the Specific Plan area and improvements adjacent to the Plan area would be required to provide for circulation improvements. Mitigation Measure N-11 described in Section 4.N, *Transportation/Traffic*, of the Draft EIR, requires that intersection improvements, including installation of new traffic signals and modification of existing traffic signals, be implemented in accordance with the recommendations in Table 4.N-3. Mitigation Measures N-1 through N-10 would also serve to improve traffic flow in and around the Plan area. Because Mitigation Measure N-1 through N-11 would serve the intended purpose of improving traffic flow, no additional measure is required.

*Recommended Measure:* Make a commitment that the project site will include a solar photovoltaic or an alternate system with means of generating renewable electricity.

*Discussion:* Refer to the response provided earlier in this comment regarding solar photovoltaic systems and Mitigation Measure C-18, which is incorporated into Section 3.0, Corrections and Additions to the Draft EIR, in this Final EIR.

*Recommended Measure:* Provide outlets for electric and propane barbecues in residential areas.

*Discussion:* The Westgate Specific Plan is intended to guide future development and does not propose specific projects. It would be speculative to determine whether future implementing projects would include barbecue amenities as project-level information is not available. Further, even if barbecue amenities are provided, the reduction in emissions related to the use of electric or propane barbeques would be slight. The City's duty to condition project approval on incorporation of feasible mitigation measures must concern measures that would "substantially lessen" a significant environmental effect (§ 21002; Guidelines, § 15021, subd. (a)(2).). Thus, the lead agency need not, under CEQA, adopt every "nickel and dime mitigation scheme brought to its attention." As the measure does not substantially lessen or avoid an identified significant adverse impact and is not incorporated into the Final EIR. Nonetheless, the comment is noted and will be provided as information to the decision makers.

## **RESPONSE H-21**

As discussed in Section 4.C, *Air Quality*, of the Draft EIR, construction emissions of NO<sub>x</sub> would potentially exceed the SCAQMD regional thresholds of significance. The Draft EIR concluded that impacts related to construction emissions would be potentially significant, requiring mitigation. Implementation of Mitigation Measures C-1 through C-8 would reduce construction emissions. However, impacts would remain significant and unavoidable after implementation of feasible mitigation.

The comment recommends changes to the existing construction mitigation measures and that additional mitigation measures be adopted. The feasibility and inclusion of the construction mitigation measures recommended in the comment are discussed below.

*Recommended Change:* The comment recommends changes to Mitigation Measure C-2 to require that all off-road diesel-powered construction equipment greater than 50 hp meet the Tier 4 emissions standard.

*Discussion:* The recommended mitigation measure requiring all construction equipment to meet the Tier 4 emissions standards is not be feasible due to the limited availability of such equipment. Review of the latest CARB Diesel Off-Road Online Reporting System (DOORS) data shows that heavy-duty off-road construction equipment meeting Tier 4 emission standards account for only seven percent of the statewide fleet.<sup>13</sup> While the DOORS data is several years old, it is still the case that the percentage of heavy-duty off-road construction equipment meeting Tier 4 emission standards remains relatively low. This is because the Tier 4 final standards for equipment greater than 75 horsepower have only been in effect since 2014 or 2015, depending on the engine size. Furthermore, equipment costs for heavy-duty off-road construction equipment are high and turnover tends to be slow so that fleet operators can absorb the costs. With a low availability of Tier 4 emissions compliant construction equipment, it is not feasible to require all

<sup>13</sup> California Air Resources Board, *In-Use Off-Road Diesel Vehicle Regulation - AB1085 Background Materials on Air Emissions, Health Impacts, and Economic Impacts, Emissions Data, Population - DOORS Populations in the Off-Road Diesel Emissions Inventory*, [http://www.arb.ca.gov/msprog/ordiesel/offroad\\_1085.htm](http://www.arb.ca.gov/msprog/ordiesel/offroad_1085.htm). Accessed June 2015.

construction equipment to meet these requirements. Therefore, the changes to the measure are not feasible and are not incorporated into the Final EIR. It is noted that Mitigation Measure C-2 already requires construction to utilize Tier 4 for a portion of the equipment for construction activities beginning in January 2016. Mitigation Measures C-2 was designed to take into account the limited availability of heavy-duty off-road construction equipment meeting Tier 4 emission standards.

*Recommended Measure:* Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NO<sub>x</sub> emissions requirements.

*Discussion:* Requiring all diesel haul trucks to meet the most stringent emissions standards is not feasible due to the availability of such equipment. A review of vehicle fleet data from CARB's on-road vehicle emissions model, EMFAC2014, for T7 single construction and T7 tractor construction (heavy-duty diesel) trucks shows that approximately 45 percent of the construction trucks in the South Coast Air Basin would be projected to meet the USEPA model year 2010 or better emission standards in calendar year 2018. Given that less than half of the trucks would meet the standard in 2018 (the anticipated operational year of Phase I as analyzed in the Draft EIR), it is not feasible to adopt a measure requiring all construction diesel haul trucks to meet the performance standard.

With respect to the USEPA model year 2007 standards, the EMFAC2014 model, for T7 single construction and T7 tractor construction (heavy-duty diesel) trucks, shows that approximately 68 percent of the construction trucks in the South Coast Air Basin would be projected to meet the standard. Given that over two-thirds of the trucks would be projected to meet the model year 2007 standard in 2018, the use of USEPA model year 2007 or newer construction haul trucks would be generally feasible given the projected availability of trucks in the South Coast Air Basin. Therefore, in order to further reduce regional impacts, Mitigation Measure C-2ais proposed and will be incorporated into Section 3.0, Corrections and Additions to the Draft EIR, in this Final EIR.

*Recommended Measure:* A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

*Discussion:* The suggested measure is already included in Mitigation Measure C-2 in the Draft EIR. Therefore, no additional measure is required.

*Recommended Measure:* Encourage construction contractors to apply for SCAQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program provides funds to accelerate clean up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at the following website: <http://www.aqmd.gov/home/programs/business/business-detail?title=vehicle-engine-upgrades>.

*Discussion:* The suggested measure is already included in Mitigation Measure C-3 in the Draft EIR. Therefore, no additional measure is required.

**RESPONSE H-22**

The City utilized the suggested guidance from the SCAQMD to incorporate feasible mitigation measures to reduce the construction and operational emissions projected to occur from implementation of the Westgate Specific Plan. No further response is required.



## Letter I

[www.SBCounty.gov](http://www.SBCounty.gov)

### Department of Public Works

- Environmental & Construction • Flood Control
- Operations • Solid Waste Management
- Surveyor • Transportation

**Gerry Newcombe**  
Director

March 5, 2015

File: 10(ENV)-4.01

DiTanyon Johnson, Associate Planner  
City of Fontana  
Planning Division  
8353 Sierra Avenue  
Fontana, CA. 92335

**RE: CEQA – NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE FOR THE WESTGATE SPECIFIC PLAN FOR THE CITY OF FONTANA**

Dear Ms. Johnson:

Thank you for giving the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. **We received this request on January 20, 2015**, and pursuant to our review, the following comments are provided:

**Traffic Division (Ed Petre, PWE III, 909-387-8186):**

1. Page 4.N-1, 2. Environmental Setting (a): A portion of Cherry Avenue (Valley Blvd to north of Arrow Route) falls within the County of San Bernardino's jurisdiction. When analyzing for acceptable levels of service for the County facilities, an LOS D is acceptable per the County's General Plan.
2. Page 4.N-7, (9) Existing Level of Service: Regarding the intersection of Cherry Avenue at San Bernardino Avenue (#27), according to the Traffic Report on Table 2, this intersection has an existing LOS of C for the AM peak hour and C for the PM peak hour. This is an acceptable LOS by the County of San Bernardino General Plan.
3. Page 4.N-20, d. Analysis of Project Impacts (e)(ii): Regarding the "Existing Plus Project Phase 1" impacts for the intersection of Cherry Avenue at San Bernardino Avenue (#27), according to the Traffic Report on Table 8, this intersection will have an LOS of C for the AM peak hour and D for the PM peak hour. This is an acceptable LOS by the County of San Bernardino General Plan.
4. Page 4.N-21, d. Analysis of Project Impacts (e)(ii): Regarding the "Existing Plus Project Buildout" impacts for the intersection of Cherry Avenue at San Bernardino Avenue (#27), according to the Traffic Report on Table 10, this intersection will

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have an LOS of C for the AM peak hour and D for the PM peak hour. This is an acceptable LOS by the County of San Bernardino General Plan. 5 (cont.)

5. Page 4.N-23, d. Analysis of Project Impacts (f)(ii): Regarding the "Year 2018 without Project" impacts for the intersection of Cherry Avenue at San Bernardino Avenue (#27), according to the Traffic Report on Table 14, this intersection will have an LOS of C for the AM peak hour and D for the PM peak hour. This is an acceptable LOS by the County of San Bernardino General Plan. 6
6. Page 4.N-24, d. Analysis of Project Impacts (f)(ii): Regarding the "Year 2018 with Project Phase 1" impacts for the intersection of Cherry Avenue at San Bernardino Avenue (#27), according to the Traffic Report on Table 15, this intersection will have an LOS of C for the AM peak hour and D for the PM peak hour. This is an acceptable LOS by the County of San Bernardino General Plan. 7
7. Page 4.N-44, Table 4.N-3 needs to be revised accordingly for those facilities within the County's jurisdiction. 8
8. Any fair share mitigation contributions for County of San Bernardino facilities shall be paid to the County of San Bernardino Department of Public Works. 9
9. The traffic study incorrectly analyzed the intersection of Cherry Avenue at Arrow Route for the 2018 and Horizon Year conditions. There are currently three through lanes for the northbound and southbound directions, not two. The intersections should be reevaluated and any needed corrections made to the EIR. 10

**Environmental Management Division (Brandy Wood, Ecological Resource Specialist, 909-387-7971):**

1. Page 9 of the Volume 2 Westgate DEIR Appendices, states "Habitat assessments for burrowing owl and San Bernardino Kangaroo Rat were also conducted." It continues on Page 11 of the Volume 2 Westgate DEIR Appendices, and states "No focused surveys were conducted for sensitive wildlife species". "For SBKR, a determination of whether suitable habitat is present or absent within the study area was determined based on a site assessment conducted by a mammal expert with local knowledge, Dr. Michael O'Farrell. 11

**We are concerned the lack of focused surveys will not adequately analyze impacts to sensitive wildlife species. This area is the one of the remaining undeveloped historically occupied habitats for San Bernardino Kangaroo Rat along Etiwanda Fan. Trapping for San Bernardino Kangaroo Rat is warranted and expected in a completely analysis for this project.**

**While Dr. Michael O'Farrell may be a mammal expert with local knowledge, we are concerned this document relies too heavily on his knowledge and not on actual**

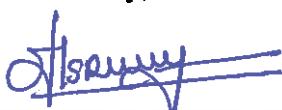
trapping which is warranted throughout the project site. A quick Google search shows 11  
Dr. O'Farrell is an expert in bats and not in San Bernardino Kangaroo Rat. (cont.)

**Environmental Management Division (Erma Hulse, Senior Planner, 909-387-1864):**

1. Page ES-33, Environmental Issue, the word "cause" after the text "would not" was omitted. 12
2. One of the benefits of the Master Plan of Drainage is to identify the alignment of future drainage and flood control facilities. The City should continue to use this document and allow development of the area while protecting the alignment of future drainage facilities. 13
3. If any encroachment on District right of way is anticipated, a permit shall be obtained from the District's Flood Control Operations Division, Permit Section. 14

If you have any questions, please contact the individuals who provided the specific comment, as listed above.

Sincerely,



*for*  
NIDHAM ARAM ALRAYES, MSCE, P.E., QSD/P  
Public Works Engineer III  
Environmental Management

NAA:PE:nh/CEQAComment\_Fontana\_DEIR\_WestgateSpcfcPln\_2015-03-05-01

**LETTER I**

County of San Bernardino  
Department of Public Works  
**Nidham Aram Alrayes**  
**Public Works Engineer II**  
825 East Third Street, San Bernardino, CA 92415-0835  
(March 5, 2015)

**RESPONSE I-1**

This comment provides a general introduction to the comments raised in this letter. Responses to the comments contained in this letter are provided below in Responses to Comments I-3 through I-14.

**RESPONSE I-2**

This comment states the acceptable level of service for facilities under the jurisdiction of San Bernardino County, and indicates that a portion of Cherry Avenue (from Valley Boulevard to north of Arrow Route) is within County jurisdiction. This comment is noted.

**RESPONSE I-3**

The comment acknowledges that the affected street segment level of service is considered acceptable per County General Plan standards. This comment is noted.

**RESPONSE I-4**

The comment acknowledges that the affected street segment level of service is considered acceptable per County General Plan standards. This comment is noted.

**RESPONSE I-5**

The comment acknowledges that the affected street segment level of service is considered acceptable per County General Plan standards. This comment is noted.

**RESPONSE I-6**

The comment acknowledges that the affected street segment level of service is considered acceptable per County General Plan standards. This comment is noted.

**RESPONSE I-7**

The comment acknowledges that the affected street segment level of service is considered acceptable per County General Plan standards. This comment is noted.

**RESPONSE I-8**

Table 4.N-3 has been revised to reflect that the affected roadway segments indicated by the commenter are under the jurisdiction of the County of San Bernardino, as shown in Chapter 3.0, *Corrections and Additions to the Draft EIR*, of this Final EIR.

**RESPONSE I-9**

The commenter states that any fair share mitigation contributions for County of San Bernardino facilities shall be paid to the County of San Bernardino Department of Public Works. This comment is noted.

**RESPONSE I-10**

The intersection geometrics at this intersection are reflective of when the analysis took place. Any future revision to the traffic impact analysis will update all intersections to the geometrics at the time in which the traffic impact analysis is updated. This would include analyzing Cherry Avenue at Arrow Route with three through lanes for the northbound and southbound directions, instead of two through lanes.

**RESPONSE I-11**

As discussed in Response A-3 above, Dr. O'Farrell's SBKR habitat assessment recognized that sage scrub habitat is present on the site, which is a potentially suitable habitat type for SBKR, but that it existed in small discrete patches with a groundcover of mostly dense, introduced grasses that fully exclude SBKR occupation. He also identified that the majority of the site is subject to continual disking with other areas supporting dense grass cover, both of which preclude the opportunity for SBKR occupation. The industry-wide accepted procedure for determining the need to conduct focused surveys for a sensitive species is based on an initial habitat assessment, and if potentially suitable habitat is identified then focused surveys are typically warranted. The determination of potentially suitable habitat is based not only on vegetation communities but also on the quantity and/or quality of the habitat and the presence of critical habitat features, dependent on a particular species needs. In this case, Dr. O'Farrell determined that areas on the site that may have been potential habitat for SBKR were in fact not suitable based on the composition of the habitat (in particular dense grass cover) and ongoing disturbance. In addition, he searched for diagnostic signs of the species and found none on or adjacent to the site. Based on his detailed evaluation of the habitat Dr. O'Farrell determined that the site is not occupied by SBKR, that the habitat is not suitable for SBKR, and that the developed nature of the surrounding area negates the possibility of colonization from off-site. As such, focused trapping surveys were not warranted and were not conducted for the site. The City is confident that Dr. O'Farrell's assessment is accurate based on his detailed evaluation of the site and his extensive experience with SBKR including in the vicinity of the site (e.g., Lytle Creek). Dr. O'Farrell is a bat and rodent specialist and conducted his masters and doctoral theses, respectively, on these mammal groups. He has been working with rodents since 1971 and holds a federally-listed permit (#TE744707-4) in order to conduct his mammal work. To date he has conducted over 614 focused surveys on mammals, including at least 74 on SBKR, with associated scientific publications and technical reports, again inclusive of SBKR.<sup>14</sup> Dr. O'Farrell's extensive experience in assessing SBKR habitats and conducting focused trapping surveys provides him with the expertise and qualifications to determine the potential for a species to occupy a site based on observations of key habitat components that the species requires.

Although Dr. O'Farrell indicated that off-site colonization is negated for the site due to surrounding development, the City does recognize that site conditions can change, particularly over the time frame between a programmatic assessment and individual project-level analyses. As such, Mitigation Measure D-1 requires a habitat assessment to be conducted by a qualified biologist prior to issuance of any grading permits to determine the potential presence of suitable SBKR habitat on the site at the time of the site-

<sup>14</sup> <http://mammalogist.org>

specific assessments. Per the prescribed mitigation measure, if suitable habitat is found, then focused trapping surveys would be conducted by a permitted biologist according to required USFWS protocols with additional measures implemented to ensure potentially significant impacts are reduced to a less than significant level if the species is found. If the future assessment finds there is no suitable habitat, then focused trapping surveys would not be necessary. Therefore, although focused surveys are not currently warranted due to a lack of suitable habitat, the need for focused surveys will be re-evaluated based on the findings of future site-specific habitat assessments. This mitigation measure is appropriate for the program-level CEQA documentation provided in the Draft EIR, and would be subject to further agency review and approval at the time of project-level approvals pursuant to the Endangered Species Act.

#### **RESPONSE I-12**

The typographical error is noted. In response, page ES-33 of the Draft EIR has been revised. Please see Chapter 3, *Corrections and Additions to the Draft EIR*, in this Final EIR.

#### **RESPONSE I-13**

The Draft EIR addressed drainage impacts in Section 4.I, *Hydrology and Water Quality*, with supporting data provided in Appendix H of the Draft EIR. As discussed on page 4.I-1, to assist with the regional flood control planning, the City of Fontana developed and adopted a Master Plan of Drainage (MPD) that included the proposed project within the Master Plan area. The master planned facilities are typically designed to accommodate existing conditions and future build out conditions. As discussed on pages 4.I-31- to 4.I-33, hydrology impacts would be less than significant. The Project will be responsible for safely conveying the 100-year proposed discharge to a regional or city master planned drainage facility. The design of future drainage facilities within the Westgate Specific Plan would ensure that flows from the project area are within the design parameters of downstream completed facilities. If for some reason, a particular area of Westgate will generate peak flows greater than the capacity of the downstream facility, then that area will be responsible for attenuating their flows through on-site detention or some other means. This would ensure that regional drainage facilities and conditions are managed in accordance with applicable regulatory standards and requirements. At this time, the City does not foresee anticipated future drainage alignments being significantly altered by Project implementation.

#### **RESPONSE I-14**

This comment is noted. Permits will be obtained in accordance with this comment.

## Letter J



Jennifer Menjivar-Shaw  
Local Public Affairs  
795 Redwood Avenue  
Fontana, CA 92336

March 6, 2015

DiTanyon Johnson, Associate Planner  
City of Fontana, Planning Division  
8353 Sierra Avenue  
Fontana, CA 92335  
djohnson@fontana.org

RE: Draft EIR for Westgate Specific Plan

Dear Mr. Johnson:

Southern California Edison (SCE) appreciates the opportunity to review and provide comments on the Draft Environmental Impact Report (DEIR) for the Westgate Specific Plan. The Westgate Specific Plan is a master-planned community integrating business park, commercial retail, office, and residential opportunities (up to 6,410 residential units). The Specific Plan would occupy approximately 954 acres and would be physically divided into four "villages" (Westgate Village, Westgate Village East, Westgate Center, and Falcon Ridge Village). The master-planned community also includes an elementary school, high school, and public parks. Construction of the project would be phased, with full buildout of the Specific Plan anticipated to occur by 2035. Each of the four villages could be developed concurrently or in any sequence. The first phase of development is anticipated to be constructed and operational by 2018.

### SCE's Electrical Facilities

SCE is the electrical service provider for the City of Fontana and maintains electrical transmission and distribution facilities, and substations in the Project area and vicinity. Within the project area, SCE has a number of existing facilities, which are listed below and the attached Figure 2-8 was modified to illustrate SCE's facilities.

- A 500 kilovolt (kV) transmission line traverses the northernmost tip of the Falcon Ridge Village area.
- SCE's existing utility corridor traverses the project area (all four villages) diagonally and contains a 500 kV transmission line.
- A 66 kV subtransmission line is located on the south side of Baseline Avenue; south of Westgate Village.

In addition, SCE's Falcon Ridge Substation Project was approved by the California Public Utilities Commission in February 2014. The approved project includes the construction of a 66 kV subtransmission line, which would be located within SCE's existing utility corridor and generally parallels the 500 kV transmission line. Construction is anticipated to begin in Quarter 1 of 2016 and occur over an 18-month period.

### Encroachment of SCE's Right-of-Way and Access Roads

Development of the Westgate Specific Plan has the potential to encroach and impact SCE's existing utility corridors and access roads. The proposed development should not impose constraints on SCE's ability to access, maintain, and operate its current and future facilities. Additionally, if bike lanes and landscaping are planned within SCE's corridors an agreement between the developer and SCE is required. Any proposed use of SCE's easement rights-of-way and fee-owned properties will be reviewed on a case-by-case basis by SCE. Approvals or denials will be in writing based upon review of the maps provided by the developer and compatibility with SCE right-of-way constraints and rights. The impacts will need to be consented to and addressed by SCE prior to finalizing the plan of development. Please forward five (5) sets of plans depicting SCE's facilities and associated land rights to the following location:

Real Properties Department  
Southern California Edison Company  
2885 Foothill Blvd.  
Rialto, CA 92376

### Safety Concerns

SCE must comply with the CPUC's General Order (GO) 95<sup>1</sup>, which establishes rules and regulations for the overhead line design, construction, and maintenance which will ensure adequate service and secure safety to persons engaged in the construction, maintenance, operation or use of overhead lines and to the public in general. GO 95 also includes minimum vertical clearance requirements from thoroughfares, ground, and railroads, as well as specific minimum clearances from tree branches and vegetation around overhead wires. SCE is concerned that the Westgate Specific Plan's roadway improvements that bisect SCE's utility corridor may conflict with SCE's existing and proposed transmission line designs. Also, the Westgate Specific Plan's proposed roundabouts should be constructed away from SCE property and easements.

4

Any parkways or pathways (either by foot, bicycles, or other means) that invite the public onto SCE's right-of-way will require the installation of Anti-Climbing Devices on each transmission line tower at the customer's expense.

### Cumulative Impacts

SCE recommends that the City consider inclusion of the Falcon Ridge Substation Project in the cumulative analysis of the proposed Westgate Specific Plan. SCE is concerned about the coinciding construction periods of the Falcon Ridge Substation Project and Westgate Specific Plan project. Specifically, SCE is concerned with the DEIR's assessment of potential cumulative impacts to environmental resources identified by both projects in the surrounding and overlapping construction areas, and the application of avoidance, minimization and mitigation measures for these resources. Unanticipated cumulative impacts could result if impacts to environmental resources in the overlapping project areas are not similarly mitigated. Environmental documents for the Falcon Ridge Substation Project may be accessed by following the links below:

- Draft EIR  
[http://www.cpuc.ca.gov/Environment/info/esa/falconridge/DEIR/FRSS\\_DEIR.pdf](http://www.cpuc.ca.gov/Environment/info/esa/falconridge/DEIR/FRSS_DEIR.pdf)
- Proponent's Environmental Assessment  
[http://www.cpuc.ca.gov/Environment/info/esa/falconridge/PEA/PEA\\_Vol\\_2\\_AppD.pdf](http://www.cpuc.ca.gov/Environment/info/esa/falconridge/PEA/PEA_Vol_2_AppD.pdf)
- Mitigation, Monitoring, Reporting, and Compliance Program  
<http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M087/K885/87885123.pdf>

5

SCE requests the Westgate Specific Plan DEIR include a discussion of coordination regarding timing and use of staging areas between SCE and the City to minimize potential cumulative construction impacts and ensure compliance with both projects' mitigation measures. SCE suggests the DEIR establish the City's responsibility for mitigating impacts associated with its project in these overlapping areas and clearly explain that SCE would not be responsible for mitigating impacts related to the City's project activities in areas where SCE and the Westgate Specific Plan construction coincide.

In the cumulative analysis for the Westgate Specific Plan, the City may also want to consider inclusion of the Metropolitan Water District's Etiwanda Pipeline Project, which is adjacent to SCE's 500 kV transmission line. The Westgate Specific Plan, Falcon Ridge Substation Project, and Etiwanda Pipeline Project would have overlapping construction areas and coinciding construction periods.

### Additional Electrical Infrastructure

Based on the size and scope of the proposed Westgate Specific Plan, SCE anticipates that new electrical infrastructure that operates above 50 kV may be necessary to service the proposed project, which may include one or more substations and one or more new subtransmission lines. The developer for the Westgate Specific Plan should contact SCE's New Development Project Management Department to initiate an electrical service evaluation, which will begin the process for identification of on- and off-site

6

<sup>1</sup> <http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M146/K646/146646565.pdf>

electrical facilities required to service the proposed Project, which could be considered reasonably foreseeable consequences of the Westgate Specific Plan development.

6  
(cont.)

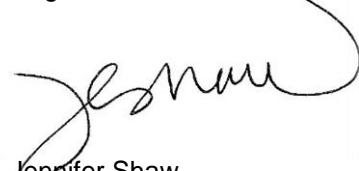
Regulatory Requirements

The construction of new electrical facilities that operate above 50 kV may be subject to CPUC's GO 131-D<sup>2</sup>. As a state agency, the CPUC is also required to comply with the requirements of the California Environmental Quality Act (CEQA). If the proposed project requires a new subtransmission line, it may result in significant and/or unavoidable environmental impacts that are off-site, which are not discussed in the Westgate Specific Plan DEIR. If significant impacts resulting from the construction, operation, and maintenance of a new subtransmission line are not adequately addressed in this DEIR, the CPUC as CEQA Lead agency may have to prepare an entirely new CEQA document for that scope of work, which could delay approval of the SCE subtransmission line portion of the project for several years. Therefore, for a number of reasons, including to avoid delays, SCE recommends revision of this DEIR to include a discussion of the potential new subtransmission line, any other substation or other electrical components required for this development, and their associated environmental impacts.

7

If you have any questions regarding this letter, please contact Nancy Jackson at [Nancy.Jackson@sce.com](mailto:Nancy.Jackson@sce.com) or (760) 951-3160.

Regards,

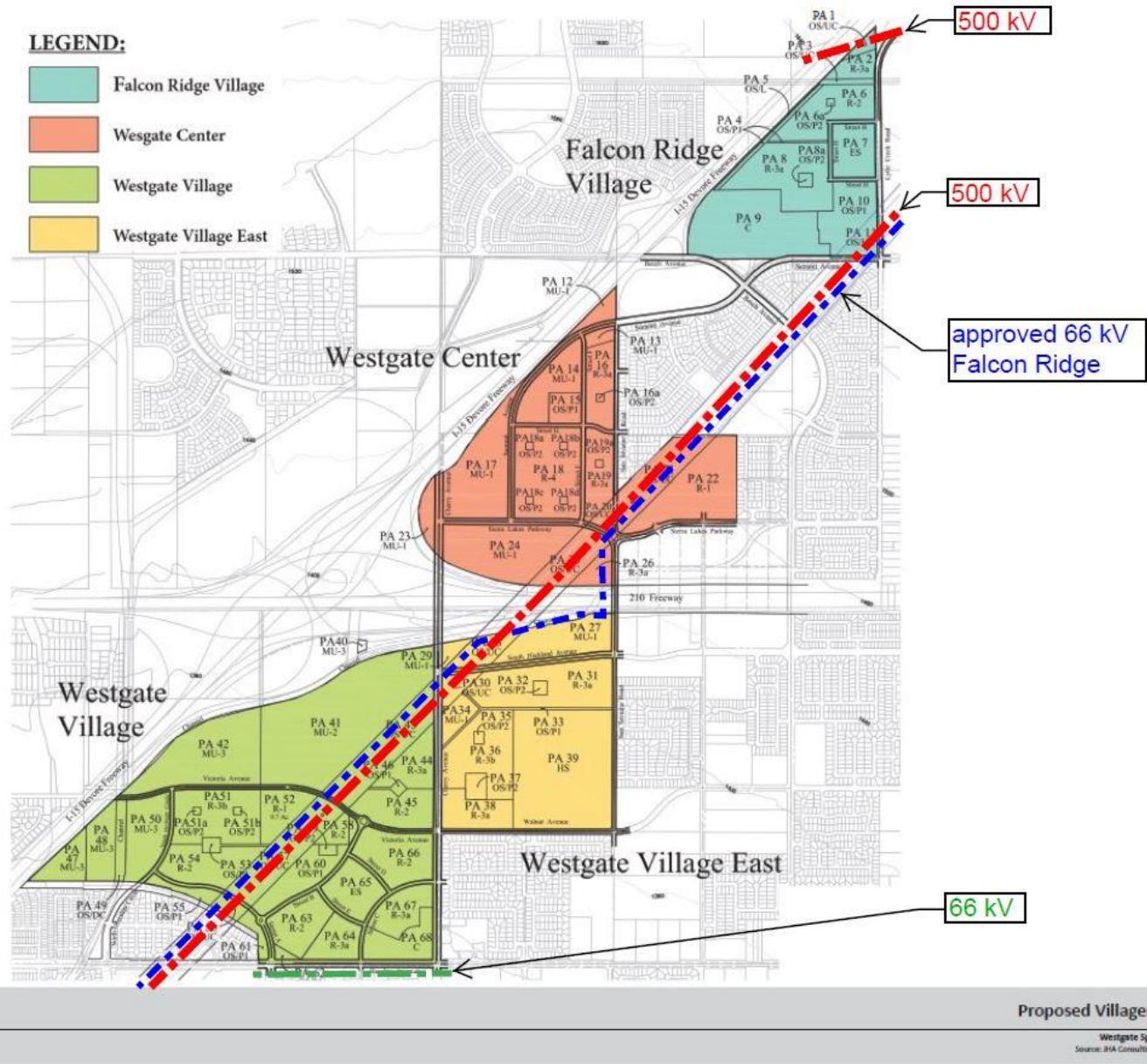


Jennifer Shaw  
Local Public Affairs Region Manager  
Southern California Edison Company

cc: Jeremy Califano, SCE Falcon Ridge Project

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<sup>2</sup> <http://docs.cpuc.ca.gov/PUBLISHED/Graphics/589.PDF>



**LETTER J**

Southern California Edison  
**Jennifer Shaw, Local Public Affairs Region Manager**  
795 Redwood Avenue  
Fontana, CA 92336  
(March 6, 2015)

**RESPONSE J-1**

This comment provides a general overview of the Project. This comment is noted.

**RESPONSE J-2**

This comment provides a an overview of SCE facilities within the project area. This comment is noted.

**RESPONSE J-3**

Consistent with this comment, future development within the Specific Plan area would be required to coordinate with SCE and obtain appropriate approvals, as necessary, to ensure such development does not impose constraints on SCE's ability to access, maintain, and operate its current and future facilities.

**RESPONSE J-4**

Consistent with this comment, future development within the Specific Plan area, including that which bisects with SCE utility corridors, would be subject to compliance with applicable California Public Utility Commissions (CPUC) rules and SCE specifications, including CPUC's General Order (GO) 95. Additionally, per this comment, anti-climbing devices would be installed on transmission lines within any parkways or pathways that invite the public onto SCE's right-of-way at the developer's expense.

**RESPONSE J-5**

The commenter suggests that the Draft EIR for the Westgate Specific Plan should include the future implementation of the Falcon Ridge Substation Project in the list of related cumulative projects provided in Chapter 3, *Basis for Cumulative Analysis*, of the Draft EIR. However, although located within the City of Fontana, this project was not included in the City's list of current pending, approved, or future projects. Nonetheless, the referenced substation project is in infrastructure project intended to increase the distribution capabilities and service reliability to meet the growing needs of new development within the area. As such, this project, once constructed would not result in meaningful long-term environmental impacts that could have the potential to result in cumulatively considerable effects given that the facility would operate passively once online. Additionally, given the lack of reliable information regarding the potential timing of approval and implementation of any one of the individual development projects pursuant to the Specific Plan, it would not be appropriate in the context of the Draft EIR to speculate regarding the specific potential impacts associated with construction of the proposed substation and Specific Plan-related development. In other words, as the Specific Plan functions as a policy document that does not specify the timing and location of specific development projects within its boundaries, it is not possible to determine what impacts, if any, would occur and to what extent they would occur in conjunction with implementation of the Specific Plan, as implementation is expected to occur over an approximately 30-year timeframe as

dictated by market forces and other factors beyond the control of the City. While it is acknowledged that future development within the Specific Plan area could have some limited potential for additive effects in conjunction with the implementation of the substation project, the substation site is located at a minimum of 1.5 miles east of the Specific Plan area at the closest point, with direct freeway access to the north and south, and as such the potential for notable adverse cumulative construction-related effects (such as construction traffic traveling on the same roads, localized air pollutant emissions, temporary noise increases, etc.) is considered remote. Nonetheless, all future development projects within the Specific Plan area would be subject to subsequent project-specific environmental review by the City at the time such development proposals are brought forth, at which time specific issues related to potential cumulative effects of SCE facility improvements and Specific Plan-related development would be addressed through mitigation measures or other special conditions, as determined by the City.

#### **RESPONSE J-6**

As noted above in Response J-5, future development projects within the Specific Plan area would be coordinated with SCE and other utilities in order to ensure that adequate infrastructure improvements are provided to meet anticipated demands. Such coordination would be carried out in conjunction with future development proposals as necessary, and would be overseen by the City as appropriate.

#### **RESPONSE J-7**

As indicated above in Response J-5, the specific electrical and related infrastructure needs of future projects pursuant to the Specific Plan are not known at this time. As future projects are brought forward for review and approval by the City, the site- and development-specific demands of each project would be assessed and necessary improvements identified. As part of the required subsequent environmental review of such future projects, the environmental impacts of such on- and off-site project-related improvements would be evaluated, as appropriate, in the respective CEQA documents. As such, given that no specific information currently exists to allow for a meaningful and reliable evaluation of the need for, and associated impacts of, a new subtransmission line to serve the future development, no further analysis or response is warranted.

## Letter K



Anthony A. Klecha  
Team Lead, Planning & Project Support

Southern California Gas Company  
Sempra Energy utilities  
GT17E2  
555 Fifth Street  
Los Angeles, Ca. 90013  
Tel: (213) 244-4339  
Fax: (323) 518-2324

March 06, 2015

Sent via Email

DiTanyon Johnson, Associate Planner  
City of Fontana, Planning Division  
8353 Sierra Avenue  
Fontana, CA 92335

### **Re: Draft Environmental Impact Report, Westgate Specific Plan, Fontana, California**

Dear DiTanyon Johnson:

Southern California Gas Company (SoCalGas) appreciates the opportunity to review and respond to the subject Draft Environmental Impact Report (DEIR). SoCalGas understands that the proposed project would include a total of up to 6,410 residential units, 50.9 acres of commercial retail, 179.9 acres of business park and profession office uses, 71.6 acres of warehouse/distribution uses, 47.8 acres of open space/public parks, 9.15 acres of open space/private parks, 1.4 acres of open space/landscape, 96.1 acres of open space/utility corridor, 24 acres for an elementary school, 60 acres for a high school, and 89.35 acres of major street rights-of-way. SoCalGas respectfully requests that the following comments be considered prior to project approval:

- SoCalGas has an existing natural gas transmission pipeline as well as several distribution pipelines within and immediately adjacent to the proposed project site. SoCalGas recommends that the project proponent call Underground Service Alert at 811 at least two business days prior to performing any excavation work for the proposed project. Underground Service Alert will coordinate with SoCalGas and other utility owners in the area to mark the locations of buried utility-owned lines. 1
- SoCalGas has several existing natural gas distribution line at this location that may require modification to accommodate the proposed project and requests that the City and/or the project proponent coordinate with us by calling (800) 427-2000 to follow-up on this matter. 2
- Should it be determined that the proposed project may require SoCalGas to abandon and/or relocate any portion of its existing natural gas lines, the potential impacts associated with this work should be appropriately considered and addressed prior to the certification of the Final EIR. 3
- 4

Once again, we appreciate the opportunity to comment on the proposed DEIR. If you have any questions, please feel free to contact me at (213) 244-4339 or [aklecha@semprautilities.com](mailto:aklecha@semprautilities.com). 5

Sincerely,

Anthony A. Klecha  
Southern California Gas Company

cc: Rosalyn Squires

**LETTER K**

SoCalGas  
**Anthony A. Klecha**  
555 Fifth Street  
Los Angeles, CA 90013

**RESPONSE K-1**

This comment provides a general overview of the project and introduction to the comments raised in this letter. Responses to the comments contained in this letter are provided below in Responses to Comments K-2 through K-4.

**RESPONSE K-2**

Consistent with this comment, future developers within the Specific Plan area will call the SoCalGas' Underground Service Alert, as necessary, to coordinate excavation work in the Specific Plan project area.

**RESPONSE K-3**

Consistent with this comment, future developers within the Specific Plan area will coordinate with SoCalGas to ensure appropriate modifications are made to gas lines serving the Specific Plan project area, as necessary.

**RESPONSE K-4**

Future development that may occur within the Specific Plan project area would be subject to future project-level CEQA compliance documentation that would, to the extent feasible and appropriate, tier off of the program-level analysis included in the Draft EIR. At that time, if it is determined that any existing gas lines need to be relocated and/or abandoned and such work could result in potential impacts to the environment, such impacts would be analyzed and included in the future project-level CEQA analysis documentation.

**RESPONSE K-5**

Comment noted.

## Letter L



# City of Fontana POLICE DEPARTMENT

Special Operations Division

## MEMORANDUM

**TO:** DiTanyon Johnson, Associate Planner  
**FROM:** Wendy Ratcliffe, Community Policing Technician  
**DATE:** February 25, 2015  
**SUBJECT:** **Draft Environmental Impact Report (EIR)**  
**For the Westgate Specific Plan**

---

The Police Department has reviewed the Draft Environmental Impact Report for the Westgate Specific Plan and has comments and revisions.

### Page 4.M-3

#### **(2) Police Protection**

The first paragraph shall read as follows:

“The Fontana Police Department currently has **187** sworn positions and **88** non-sworn positions. The Fontana Police Department headquarters is located at 17005 Upland Avenue, just east of City Hall. The Police Department also operates the Southridge Contact Station at the southwest corner of Live Oak Avenue and Village Drive, at 11500 Live Oak Avenue (within the SBCFD Fire Station 74). There is an additional contact station located within the Palm Court Shopping Center, at 17122 Slover Avenue. Both stations are used by officers for reporting but neither is staffed.”

**LETTER L**

City of Fontana – Police Department  
**Wendy Ratcliffe, Community Policing Technician**  
(February 25, 2015)

**RESPONSE L-1**

The number of sworn and non-sworn positions included in the Draft EIR is based on the Fontana Police Department's "2011 Annual Report." This was the best available information regarding police personnel at the time of issuance of the Notice of Preparation (NOP) for the Draft EIR (July 2013), which established the timing of the baseline conditions presented in the Draft EIR pursuant to the State's *CEQA Guidelines*. While it is acknowledged that the number of police officers have slightly increased since July 2013, revisions to the Draft EIR per this comment are not necessary based on the State's *CEQA Guidelines*.



RANCHO  
CUCAMONGA

## Letter M

DG

Mayor L. DENNIS MICHAEL • Mayor Pro Tem SAM SPAGNOLO  
Council Members WILLIAM J. ALEXANDER, LYNNE B. KENNEDY, DIANE WILLIAMS  
City Manager JOHN R. GILLISON

## THE CITY OF RANCHO CUCAMONGA

March 3, 2015

DiTanyon Johnson, Associate Planner  
City of Fontana Planning Division  
8353 Sierra Avenue  
Fontana, California 92335

**SUBJECT: COMMENTS ON WESTGATE SPECIFIC PLAN DRAFT ENVIRONMENTAL IMPACT REPORT**

Dear Mr Johnson:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report for the Westgate Specific Plan. The City of Rancho Cucamonga offers the comments below:

1. The DEIR does not address the effects of school traffic that would be generated by the development of the West Gate Specific Plan (project). The area covered by the proposed project lies within the Etiwanda School and Chaffey Joint Union High School Districts. The project area lying north of SR-210 is currently served by Etiwanda Colony Elementary and Summit Intermediate Schools which are located near the intersection of Banyan Street and East Avenue in the City of Rancho Cucamonga. The entire project area is currently served by Etiwanda High School on Victoria Street between East Avenue and the I-15 overcrossing. The project proposes the establishment of three school sites within the project area (two elementary schools and one high school). The DEIR does not provide discussion or information on the schedule proposed by the school districts for construction of these schools relative to build-out of the project. As well, no information has been provided as to whether one of the elementary school sites is anticipated by the Etiwanda School District to provide a middle school to serve the project area. The City of Rancho Cucamonga currently experiences a high volume of traffic on Wilson Avenue, Wardman Bullock Road, Banyan Street, East Avenue, and Victoria Street during school drop-off and pick-up periods. Per page ES-1, the project proposes to increase in residential density by more than 4,000 dwelling units (a total of 6,410 dwelling units is anticipated in the project description) over the previously approved Specific Plan, much of which appears to be located in the area north of SR-210. There is inadequate information provided to determine if school traffic generated by the project will pose a significant impact requiring mitigation. The EIR should address the impacts of school traffic in the near-, mid-, and long-term based on the anticipated build-out schedule and anticipated schedule for opening of the proposed school sites.
  
2. The Planning Area Land Use Summary does not provide the amount of target dwelling units or underlying zoning for the three school sites in the event that the school district elects to not build a school. The potential for an alternate land use in these areas should be analyzed and addressed in the DEIR.

1

2

WESTGATE SPECIFIC PLAN DEIR COMMENTS

MARCH 3, 2015

Page 2

3.

3. The existing and future configurations for the interchange at I-15 and Base Line Road / Baseline Avenue are shown incorrectly in the Traffic Impact Analysis. This interchange is currently under construction with an anticipated opening of June 2016. Project plans are available through the City of Rancho Cucamonga Engineering Services Department. In order to correctly analyze traffic impacts for the project and to provide reasonable mitigations, the analysis for this location should be revised to incorporate the correct configuration for the near-, mid-, and long-term conditions.

4.

4. There appears to be a conflict within the Traffic Impact Analysis with respect to required mitigation measures at the northbound I-15 / Foothill Boulevard ramps. Table 20 indicates that widening of the northbound off-ramp is required in Year 2035 with project buildout. A review of Table 19, "Year 2035 With Project Buildout Intersection Delay and Level of Service With Improvements", indicates an estimated level of service of A and B for the morning and evening peak hours respectively. As well, the intersection configuration listed matches the current configuration without reference to the widening mentioned in Table 20. The Traffic Impact Analysis should be reviewed and corrected to remove this conflict and accurately represent the analysis and mitigation measures required.

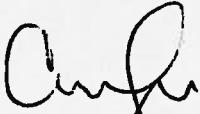
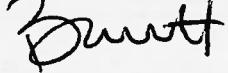
5.

5. The Summary of Project Impacts and Mitigation Measures states that a number of mitigation measures involving traffic improvements are located outside the jurisdiction of the City of Fontana, and specifically within the City of Rancho Cucamonga, and that the City of Fontana cannot require other affected jurisdictions to implement these improvements. However, it is noted that the project applicant would be required to pay "fair share" contributions to address the proposed project's proportion of traffic impacts at each facility, as summarized in Table 21 of the project's TIA. In addition to specifically identifying improvements that are located in other jurisdictions, this payment of fair-share funding should be identified as a numbered mitigation measure and the mechanics for ensuring the collection and transmittal to the affected jurisdiction should be explicitly stated in the mitigation measure.

If you have any questions, please call me at (909) 477-2750 ext. 4308.

Sincerely,

PLANNING DEPARTMENT

Candyce Burnett  
Planning Director

CB:KP/ls

**LETTER M**

City of Rancho Cucamonga – Planning Department  
**Candyce Burnett, Planning Director**  
10500 Civic Center Drive  
Rancho Cucamonga, California 91730  
(March 3, 2015)

**RESPONSE M-1**

As shown in Table 4 of the Westgate Specific Plan Traffic Impact Analysis (TIA, included as Appendix J of the Draft EIR), Planning Area 7 in Traffic Analysis Zone 1 (Elementary School with 1,030 students) is proposed to be built for Year 2018 conditions. Planning Area 7, Planning Area 39 in Traffic Analysis Zone 3 (High School with 2,500 students), and Planning Area 65 in Traffic Analysis Zone 4 (Elementary School with 1,030 students) have been analyzed for Buildout conditions (see Table 5 of the TIA). Figure 20 of the TIA shows the Project Traffic Analysis Zone Map for Traffic Analysis Zones A - D and the corresponding Planning Areas within these zones. The project was divided into these four zones for the select zone evening peak period trip distribution from the San Bernardino Transportation Analysis Model to determine the trip distributions for each Planning Area. Figures 21, 39, and 52 show the trip distribution patterns for the schools based on the San Bernardino Transportation Analysis Model. These Planning Areas along with all other Planning Areas were analyzed in the traffic impact analysis with appropriate mitigation measures recommended based on the Significant Impact Criteria for the intersections within each jurisdiction.

**RESPONSE M-2**

The TIA (Appendix J of the Draft EIR) includes the land uses proposed at the time the report was completed. The land uses are depicted in Figure 2 of the TIA. If the school district elects to not build a school, a focused traffic analysis would be required at that time.

**RESPONSE M-3**

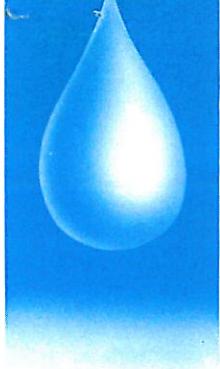
The intersection geometrics at this interchange are reflective of when the traffic impact analysis was completed. Any future revision to the traffic impact analysis will update all intersections to the geometrics at the time in which the traffic impact analysis is updated. This would include analyzing the I-15 Freeway and Baseline Avenue interchange and including the improvements currently taking place.

**RESPONSE M-4**

The improvement to the I-15 Freeway NB Ramps/Foothill Boulevard in Table 20 of the TIA will be deleted in any future revision of the traffic impact analysis, as this improvement is not necessary as indicated by the commenter.

**RESPONSE M-5**

This comment is noted.



## Letter N

# FONTANA WATER COMPANY

A DIVISION OF SAN GABRIEL VALLEY WATER COMPANY

15966 ARROW ROUTE • P.O. BOX 987, FONTANA, CALIFORNIA 92334 • (909) 822-2201

March 5, 2015

Received

MAR 06 2015

City Clerk's Office

Mr. DiTanyon Johnson  
Associate Planner  
City of Fontana  
Planning Division  
8353 Sierra Avenue  
Fontana, California 92335

Subject: Comments on Draft Environmental Impact Report  
Westgate Specific Plan

Dear Mr. Johnson:

Thank you for the opportunity to comment on the City of Fontana's "Notice of Availability of Draft Environmental Impact Report" (the "Draft EIR") for the Westgate Specific Plan dated January 19, 2015. The proposed Westgate Specific Plan is located primarily within Fontana Water Company's existing certificated service area as authorized by the California Public Utilities Commission.

At the request of the City of Fontana, Fontana Water Company prepared a report pursuant to California Water Code Section 10910 titled "Water Supply Assessment for the Westgate Specific Plan Project" and submitted it to the City on December 21, 2011 with an update submitted on January 23, 2014. The Water Supply Assessment and update are included as Appendix K1 in the Draft EIR and incorporate all required information about water supply, treatment, storage, and related issues based on Fontana Water Company's most recently adopted Urban Water Management Plan.

The Water Supply Assessment for the Westgate Specific Plan shows that Fontana Water Company's available supplies are sufficient to meet all of the demands of the entire project during normal, single dry, and multiple dry water years over a 20-year projection, in addition to the Company's existing and planned future uses. Fontana Water Company is ready willing and able to furnish public utility water service and provide for all of the water service requirements including service of recycled water for the entire Westgate Specific Plan.

The following are comments relating to specific pages in the Draft EIR:

1. Pages ES-5, 2-40, 4.C-34, 4.G-21, and 4.O.2-6

The Draft EIR states that the Inland Empire Utilities Agency (“IEUA”) is in the process of building a regional recycled water system to serve the Westgate Specific Plan and other areas in Fontana. The Draft EIR also states that recycled water “purple pipe” system will be installed in medians for all major streets, parkways and public parks and would be connected to the IEUA recycled water system upon its completion.

The Fontana Water Company Water Supply Assessment expressly addresses the sale and distribution of recycled water within the Westgate Specific Plan, as follows:

“Recycled Water will become an increasingly important source of renewable local water supply for the region which Fontana Water Company will provide, when it is available, to customers in its service area who are able to use recycled water.”

2

Please note that Fontana Water Company is the authorized public water utility to be the retail provider of water service, including service of recycled water within the Westgate Specific Plan which is located primarily within the company’s service area.

Policy 6-3 statement on page 4.O.2-12 states “. . . the proposed project would construct recycled water infrastructure on-site and would utilize recycled water provided by the Cucamonga Valley Water District and Fontana Water Company via IEUA wastewater treatment facilities.” All other statements in this Draft EIR regarding recycled water should say the same thing.

2. Page 4.O.1-5

The second paragraph of this page, section (iii) Rialto Basin, incorrectly states “Parties to the Rialto Basin Decree, including FWC, are authorized to pump from the Rialto Basin without restriction, except during certain months (between March and May) in some water years (October 1 to September 30) when pumping may be limited based on groundwater elevations for three specific “index” wells (Duncan Well, Willow Street Well, and Boyd Well).” Please correct this to read as follows:

3

“Parties to the Rialto Basin Decree, including Fontana Water Company, are authorized to pump from the Rialto Basin without restriction, except pumping during certain months in some water years (October 1 to September 30) can be affected by measurements of groundwater elevations between March and May for three specific “index” wells (Duncan Well, Willow Street Well, and Boyd Well).”

City of Fontana  
Page 3  
March 5, 2015

This is consistent with the description provided in Fontana Water Company's Water Supply Assessment included with this Draft EIR as Appendix K1.

3  
(cont.)

3. Page 4.O.1-10

The last paragraph of this page, section (iii) Chino Basin, incorrectly states "FWC is currently constructing a perchlorate removal facility at its Plant F23." Please correct this to read as follows: Fontana Water Company constructed and placed into service a perchlorate removal facility at its Plant F23 on September 30, 2013.

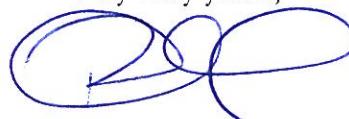
4

So that we may remain informed about the progress of the Westgate Specific Plan, all further notices, Draft EIR, and the Final EIR and related information and materials should be sent to me at the following address:

5

Mr. Robert K. Young  
General Manager  
Fontana Water Company  
15966 Arrow Route  
Post Office Box 987  
Fontana, California 92334

Very truly yours,



Robert K. Young  
General Manager

RKY:bf

ACKNOWLEDGEMENT

Receipt of this letter is hereby acknowledged.

CITY OF FONTANA

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**LETTER N**

Fontana Water Company  
**Robert K. Young, General Manager**  
15966 Arrow Avenue  
P.O. Box 987  
Fontana, CA 92334  
(March 5, 2015)

**RESPONSE N-1**

This comment provides a general overview of the Water Supply Assessment (WSA) prepared by the Fontana Water Company for the project and introduction to the comments raised in this letter. Responses to the comments contained in this letter are provided below in Responses to Comments N-2 through N-5.

**RESPONSE N-2**

Consistent with this comment, Sustainability Feature “SF-3” has been revised throughout the Draft EIR to acknowledge that the IEUA system would utilize recycled water provided by the Cucamonga Valley Water District and Fontana Water Company. The Fontana Water Company will provide, when it is available, recycled water to customers in its service area who are able to use recycled area. The revisions have been incorporated into Chapter 3, *Corrections and Additions to the Draft EIR*, in this Final EIR.

**RESPONSE N-3**

Consistent with this comment, the discussion of Rialto Basin Decree on page 4.0.1-5 has been revised to reflect the suggested edits. The revision has been incorporated into Chapter 3, *Corrections and Additions to the Draft EIR*, in this Final EIR.

**RESPONSE N-4**

The status of the perchlorate facility at Plant F23 included in the Draft EIR was based on the facility status at the time of issuance of the Notice of Preparation (NOP) for the Draft EIR (July 2013), which established the timing of the baseline conditions presented in the Draft EIR pursuant to the State’s *CEQA Guidelines*. While it is acknowledged that the Fontana Water Company constructed and placed into service a perchlorate removal facility at its Plant F23 on September 30, 2013, revisions to the Draft EIR per this comment are not necessary based on the State’s *CEQA Guidelines*.

**RESPONSE N-5**

Comment noted.

## Letter O

### Rancho Cucamonga Fire Protection District

Contact: Mr. Rob Ball, Fire Marshall, 909-477-2770, ext. 3011

Westgate Specific Plan DEIR Review Comments:

The Rancho Cucamonga Fire Protection District (RCFPD) does not believe that the Draft Environmental Impact Report (DEIR) adequately or completely assesses the impacts that the project will have on public services, specifically fire and emergency medical services. The DEIR evaluates the need for additional physical facilities but does not speak to how the delivery or availability of the emergency services will be impacted.

Section 11526.2 of the CEQA Guidelines says, in part, "An EIR shall identify and focus on the significant environmental effects of the proposed project... Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects. ***The discussion should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development), health and safety problems caused by the physical changes, and other aspects of the resource base such as water, historical resources, scenic quality, and public services. The EIR shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected.*** For example, an EIR on a subdivision astride an active fault line should identify as a significant effect the seismic hazard to future occupants of the subdivision. The subdivision would have the effect of attracting people to the location and exposing them to the hazards found there" (emphasis added).

The Fire and Emergency Medical services are provided in San Bernardino County under automatic and mutual aid agreements. The DEIR notes that there are three Fontana Fire Protection District (FFPD) fire stations within 1.5 miles of the project that are under contract with the San Bernardino County Fire Department (SBCFD) for staffing. What is not mentioned is that there are also two RCFPD stations within two miles of the project. RCFPD Station 173 located on Day Creek Blvd north of Base Line Road is 2.1 travel miles from the project and RCFPD Station 176 located at the northern end of East Avenue is 1.9 travel miles from the project.

DEIR documents provided to the RCFPD do not address the additional emergency services responses that will be generated by the project. Given the emergency services aid agreements, it is likely that RCFPD stations 173 and 176 will be included in the first alarm assignment for structure fires that occur in the project. To provide the best and most timely care for critical medical emergencies, the existing aid agreements will often send the closest available paramedic unit to a call for emergency medical service. It is foreseeable that RCFPD Stations 173 and 176 will often be the closest available unit when FFPD resources are attending to other calls for emergency service. Additionally, with the project being located in a Very

High Fire Hazard Severity Zone, a significant commitment of regional resources will be required to provide property protection during wildfire events which are common in the project area.

When RCFPD fire and emergency medical services are committed by aid agreements to calls for service in the project area, calls which currently do not exist since the project area is undeveloped, the fire and medical services operating out of RCFPD Stations 173 and 176 will not be available to respond to calls for emergency services in Rancho Cucamonga. Calls for service that occur in Rancho Cucamonga while RCFPD Stations 173 and 176 are assisting with calls for service in the project area will have to be answered by other RCFPD resources. As such, the project has a very real potential to adversely impact the ability of the RCFPD to provide services at their current level within Rancho Cucamonga if the FFPD and SBCFD do not provide additional resources to serve the project area.

The DEIR indicates that the project is expected to add 6,410 residential units. According to the 2010 US Census, the average household size for Fontana is 3.98 persons. Given these numbers, the project is proposed to add 25,500 residents. The project will also add an unknown number of employees and customers to the area given the proposed commercial, professional, retail, and industrial uses. The project will also add several hundred students who will attend the two proposed schools.

3  
(cont.)

The emergency response history of the RCFPD can be used as a comparative for the purposes of estimating potential impact of the project. The RCFPD experiences .082 responses per year per resident. If the response rate of the FFPD is similar, the project can be expected to add nearly 2,100 calls for emergency services each year. That is nearly six calls for service every day. With an understanding of how emergency services are provided under the current mutual and automatic aid agreements, there is little doubt that the additional calls for service generated by the project will have an impact on the RCFPD and the City of Rancho Cucamonga.

Given the foregoing, the RCFPD does not agree with the conclusion in the DEIR that the project will have a less than significant impact with regard to public services when the impacts are evaluated beyond the need for additional facilities. As stated in the CEQA Guidelines, the evaluation of the impacts of the project need to be inclusive of "changes induced in population distribution [and] population concentration" and on "health and safety problems caused by physical changes," problems that include adversely impacting "aspects of the resource base." Among the resources specifically cited by the Guidelines are public services, which include fire and emergency medical services.

As such, the RCFPD finds that the physical changes proposed by the project will have a significant impact on public safety services.

**LETTER O**

Rancho Cucamonga Fire Protection District

**Rob Ball, Fire Marshall**

10500 Civic Center Drive

Rancho Cucamonga, CA 91730

(March 6, 2015)

**RESPONSE O-1**

The commenter suggests that the Draft EIR does not adequately address the impacts of the proposed Specific Plan, and does not identify needed improvements or specific facilities. The Draft EIR comprehensively addressed impacts to public services, including fire and emergency medical services to a level of specificity appropriate for a Program-level EIR. This is due to the fact that given the lack of reliable information regarding the potential timing of approval and implementation of any one of the individual development projects pursuant to the Specific Plan, it is not possible to identify the specific impacts to existing facilities or the need for future facilities. Rather, as individual projects are brought forth, subsequent environmental review by the City would determine the specific facilities that would be needed to serve each development project or the fees required to fund future improvements to offset the increased demands. Because the Specific Plan functions as a policy document that does not specify the timing and location of specific development projects within its boundaries, it is not possible to determine where, when, and to what extent impacts would occur in conjunction with implementation of the Specific Plan, as implementation is expected to occur over an approximately 30-year timeframe as dictated by market forces and other factors beyond the control of the City. It is concluded in the Draft EIR that future development within the Specific Plan area would result in direct impacts to fire protection and emergency medical services and facilities. Nonetheless, as noted above, all future development projects within the Specific Plan area would be subject to subsequent project-specific environmental review by the City at the time such development proposals are brought forth, at which time specific issues related to potential impacts to public services would be addressed through mitigation measures (including new or expanded facilities or payment of fees) or other special conditions, as determined by the City.

**RESPONSE O-2**

The Draft EIR comprehensively addressed impacts to a range of environmental issues as discussed in the various sections of Chapter 4, *Environmental Impact Analysis*, of the Draft EIR. Where appropriate, the potential effects of existing environmental conditions on future project residents were evaluated, such as in Section 4.C, *Air Quality*, and Section 4.F, *Geology and Soils*, Section 4.H, *Hazards and Hazardous Materials*, and Section 4.K, *Noise*, of the Draft EIR, for example. In these instances, the effects of existing or future environmental conditions were assessed in terms of the extent to which they could adversely affect future project residents, occupants, employees, or visitors. As determined in the Draft EIR, with implementation of applicable mitigation measures, impacts would be less than significant, with the exception of air quality related to residential uses in proximity to freeway corridors and long-term traffic-related noise. However, as required by CEQA, these impacts were determined to be significant and unavoidable despite the implementation of all feasible mitigation measures.

**RESPONSE 0-3**

Please see Response 0-1 above. Contrary to the commenter's assertion that the Draft EIR does not address impacts to fire protection and emergency medical services, the Draft EIR evaluated impacts to public services and facilities to a degree of specificity germane to a Program-level EIR, which is by design limited in terms of the specific nature, location, and timing of individual development projects. As such, it is not appropriate or feasible to accurately assess the particular demands on fire protection and emergency medical services and facilities since adequate information does not exist at this time to provide such detailed analysis. Furthermore, according the City of Fontana Proposed Fire Hazard Overlay District map (dated July 8, 2014), only a very small portion of the Specific Plan area is located within a City-designated fire hazard zone or a State (Cal Fire) designated Very High Fire Hazard Severity Zone, which is contrary to the commenter's suggestion that the site, or a significant portion thereof, is located in a fire hazard area. The on-site fire hazard overlay area is limited to a short segment of land along the south side of Victoria Street immediately adjacent to and southeast of the I-15 freeway, which includes a portion of the existing Etiwanda flood control channel, and does not contain notable vegetation or other significant fuel sources such that a substantial fire risk would result from future development of the property. With regard to the commenter's assertion that the proposed Specific Plan would result in significant environmental effects to fire protection and emergency medical services, it should be noted that the Draft EIR clearly identifies the growth associated with full buildup of the Specific Plan; however, the comments provided suggest that the Specific Plan would be implemented as one development or within a short timeframe such that public services would be severely strained. To the contrary, the Draft EIR assumes that the Specific Plan would be implemented over an approximately 30-year timeframe, with individual project review and environmental review required for each future development, at which time the specific demands on public services and facilities, as well as necessary project-related improvements, fees, or other mitigation, would be determined. As such, given the long-term implementation of the proposed Specific Plan, and ongoing efforts by public service agencies to expand facilities and services to meet growing demands (funded, at least in part, by development fees) or through direct improvements by future development projects, cumulative impacts would be considered less than significant.

## Letter P

### **D. Crook Notes from 3/3/2015 Fontana Planning Commission Hearing**

\*PC requests that a copy of the Draft SP be provided to review alongside the Draft EIR

#### Public Comments:

- Eddie McCleod – opposed to the SP
  - No R-1 uses provided in the SP area (except PA 22) – density is too high | 1
  - Greenbelts and sound walls are provided to new projects in Rancho Cucamonga and should also be provided in Fontana's neighborhoods | 2
  - Traffic associated with the proposed SP, including trucks, would create traffic safety hazards | 3
  - Can build a higher-end product than higher density apartments or condos | 4
  - Did not receive a copy of the NOA | 5
- Julius Wetherbee
  - Size of the project and associated traffic will create traffic problems on the 210 Freeway | 6
  - Truck traffic from warehouse/distribution uses would create a lot of truck traffic and destroy the streets in the area | 7
  - No apartments should be built as part of the project based on the potential for increased crime, drugs, and other issues | 8
  - Density of the project is too high | 9

#### PC Comments:

- Vice-Chair Meyer
  - Executive Summary page ES-4: correct the number of existing lanes on I-15 and SR-210 | 10
  - Summary of Mitigation Measures presented in ES:
    - How can the City require the School District to commit to bussing requirements cited by GHG mitigation? | 11
    - How can the City enforce mitigation on the existing dry cleaning business in the Falcon Ridge Village center? | 12
    - Mitigation for noise includes sound walls that are very high, but could another form of sound barrier used so that walls of this height are not required? | 13
    - Mitigation requires the realignment of Summit Avenue but is this feasible, or when would that occur? | 14
    - Mitigation and DA require the full improvements of Cherry Avenue within 5 years of C of A for the warehouse use, but how would that timing address the | 15

impacts of the use? Once it is occupied the impacts would be affecting the traffic in the area, thus triggering the need for the Cherry improvements to be in place.	15 (cont.)
▪ Same enforcement issue for MM N-14 – need more detail on how/when implemented	16
▪ Need to explain how infrastructure phasing would work (e.g., sewer mains prior to construction of new housing or other uses on-site)	17
▪ How far does a school facility need to be set back from a utility corridor such as the one traversing the site?	18
• Secretary Garcia	
○ Concerned about TACs affecting residential uses	
○ How do we rectify the potential risks associated with placing industrial uses or commercial uses that emit pollutants near residential uses?	19
○ How is this addressed through HRA when new commercial uses are proposed adjacent to or near existing residential or vice versa?	
○ Need to examine potential risks associated with timing of different projects	20
• Vice-Chair Meyer	
○ Didn't see public agency comments on the Draft EIR, so will these be included/addressed?	21
• Chair Cothran	
○ A workshop on the Draft EIR and the SP should be held to let the PC study the project and DEIR more closely	22

**LETTER P****Planning Commission Hearing**  
(March 3, 2015)**RESPONSE P-1**

This comment is noted and will be provided to the decision makers. Because the comment does not raise a substantive issue on the content of the Draft EIR, no further response is warranted.

**RESPONSE P-2**

The Draft EIR addressed noise impacts in Section 4.K, Noise, with supporting technical documentation provided in Appendix I. As discussed therein, Mitigation Measure K-1 prescribes the use of sound wall to mitigate traffic noise impacts on noise sensitive uses. As required by Mitigation Measure K-1, sound walls would be constructed between future residential uses in Planning Areas 2, 6, 8, and 26 and the I-15 and SR-210 freeway corridors, respectively, in order to reduce vehicle-related noise to acceptable levels. With implementation of the prescribed mitigation, future residential uses would not be located in incompatible areas on the project site.

Also, greenbelts and open space features would be provided by the Project, which are illustrated in Figure 2-13, Open Space, Parks, and School, in Chapter 2.0, Project Description, in the Draft EIR.

**RESPONSE P-3**

The Draft EIR addressed traffic and truck safety hazards in Section 4.N, Transportation/Traffic, with supporting technical data provided in Appendix J. As discussed on page 4.N-15, to optimize the circulation pattern and protect residential areas within the project area and the City of Fontana as a whole, certain arterials have been designated as truck routes. These arterial truck routes are illustrated in Figure 4-2, *Designated Truck Routes*, in the General Plan Circulation Element. Within the project area the designated truck routes include I-15, SR-210, Cherry Avenue (south of SR-210 only), and Baseline Avenue. Haul and delivery trucks would be required to follow these or other City-designated truck routes during future construction activities. In addition, trucks operating on-site in association with future operation of proposed uses would be required to follow designated truck routes, which are designated as such because they have been appropriately designed and can safely accommodate truck travel.

As discussed on page 4.N-17, the term "industrial park" for the project is somewhat of a misnomer, as it implies a truck intensive facility. The 336,968 square feet of "industrial park" is divided over more than 10 separate planning areas, which means the industrial park land uses are likely to be small businesses rather than heavy industrial uses. Based on the supportive role to the office land uses, any truck trips generated by the industrial parks are likely to be small two-axle trucks.

The 336,968 square feet of "industrial park" is projected to generate approximately 285 evening peak hour trips. The proposed "industrial park" land uses would likely be below average truck generators, but even at the average of 8%, this would generate 23 truck trips during the evening peak hour. This is equal to 0.3% (23/9,158) of the total evening peak hour trips for the entire project. Passenger Car Equivalents (PCEs)

were not calculated in the traffic analysis because any truck trips generated by the project are insignificant to the overall traffic analysis.

Per to City requirements, permitted driveways along arterials would provide for turn-around or hammerhead turn in order to facilitate vehicle access to arterials, and vehicle or truck backing on to arterials would be prohibited. Also, where appropriate for truck-dependent land uses, the Specific Plan allows for on-site loading areas to minimize interference of truck loading activities with efficient traffic circulation on adjacent roadways.

Based on the above, trucking activities are not anticipated to result in significant traffic safety hazards.

#### **RESPONSE P-4**

This comment is noted and will be provided to the decisionmakers. Because the comment does not raise a substantive issue on the content of the Draft EIR, no further response is warranted.

#### **RESPONSE P-5**

This comment is noted. As discussed in Chapter 1.0, Introduction, of the Draft EIR, the City circulated the Notice of Availability (NOA) consistent with the requirements of the States' CEQA Guidelines.

#### **RESPONSE P-6**

The Draft EIR addressed traffic impacts, including impacts to the 210 Freeway, in Section 4.N, Transportation/Traffic, with supporting technical data provided in Appendix J. The traffic impact analysis recommends mitigation measures for each study area intersection that is projected to operate at unacceptable Levels of Service during the peak hours, so that they will be projected to operate at acceptable Levels of Service during the peak hours based on City guidelines. This approach has been conducted for all scenarios.

#### **RESPONSE P-7**

The commenter is referred to Response P-3, for a discussion of truck-related impacts. Truck traffic was separated and converted to passenger car equivalents (PCEs) within the traffic impact analysis for truck intensive land uses. This has specifically been applied for the high-cube warehouse distribution center land use. Additionally, trucks operating on-site in association with future construction and operation of proposed uses would be required to follow designated truck routes, which are designated as such because they have been appropriately designed and can safely accommodate truck travel.

#### **RESPONSE P-8**

The commenter provides his opinion with respect to multi-family housing units. The commenter does not provide any data, references or other evidence to support this conclusion. A comment that consists exclusively of mere argument and unsubstantiated opinion does not constitute substantial evidence. Because the comment does not raise a substantive issue on the content of the EIR or the impacts of the project on the environment, no further response is warranted.

**RESPONSE P-9**

This comment is noted and will be provided to the decision makers. Because the comment does not raise a substantive issue on the content of the Draft EIR, no further response is warranted.

**RESPONSE P-10**

This comment identifies a factual correction. This correction has been made in Chapter 3.0, *Corrections and Additions*, of this Final EIR.

**RESPONSE P-11**

It is acknowledged that the City has no control over the operations of the public school districts. As such, Mitigation Measure G-2 in Section 4.G, Greenhouse Gas Emissions, of the Draft EIR states that “for future projects, the City shall *recommend* that schools (K-12) located within the Westgate Specific Plan Area implement a multi-strategy school commute trip reduction program that encompasses a combination of individual measures including, but not limited to, the following...” (emphasis added). As such, while the City cannot require that the school district implement the recommended programs, typically such measures are carried out through cooperative agreements between the two agencies.

**RESPONSE P-12**

As stated on page 4.H-21 in Section 4.H, *Hazards and Hazardous Materials*, of the Draft EIR, in Mitigation Measure H-11, “[r]ecords available for the Falcon Ridge Cleaners & Shirt Laundry (15218 Summit Avenue) at the SBCFD Hazardous Materials Division shall be reviewed for compliance with this facility’s Consolidated Unified Program Agency (CUPA) permit.” As such, the mitigation measure does not require that the City enforce permit conditions regarding the facility, but rather requires that the records (which are publicly available) be reviewed to ensure compliance with such conditions. Such conditions are enforced independently by the SCAQMD.

**RESPONSE P-13**

As stated on page 4.K-36 in Section 4.K, Noise, of the Draft EIR, the recommended mitigation measures require the provision of a sound wall “or equivalent physical barrier” in order to reduce noise levels to acceptable levels. As this mitigation provides a performance measure rather than explicitly requiring a sound wall, the City may exercise discretion regarding the specific type and location of noise-reducing features required for each affected future development.

**RESPONSE P-14**

The proposed realignment of Summit Avenue is a project design feature that is intended to facilitate efficient operation of the on-site circulation system. The realignment would provide a central north-south thoroughfare through the Westgate Center Village, and also act as a buffer between mixed-use business park uses to the west and high density residential uses to the east. Given the lack of existing development or other physical barriers in the area of the proposed realignment, the relatively flat topography of the property, and the fact that the affected property is under the ownership of the project applicant, the realignment is considered feasible.

### **RESPONSE P-15**

All recommended mitigation measures (Year 2018 and Buildout) to mitigate an intersection operating at an unacceptable Level of Service to an acceptable Level of Service are reflective of those mitigation measures being constructed during that analysis period. Thus, Year 2018 recommended mitigation measures are analyzed assuming those mitigation measures would be implemented in Year 2018. If the recommended mitigation measures are constructed at a time post Year 2018, then the Level of Service during the peak periods at that intersection are not projected to be operating at acceptable Levels of Service until the recommended mitigation measures are implemented.

### **RESPONSE P-16**

As noted previously, each future development project pursuant to the proposed Specific Plan would be subject to subsequent, development-specific environmental review, which would allow the City to review the specific provisions of each project, including off-street parking. Given that no specific development projects are currently proposed, it is not possible to evaluate the particular parking requirements of future development at this time. However, adequacy of parking would be assessed at a future date, at which time specific parking requirements or other conditions may be imposed by the City to ensure that parking supplies meet or exceed potential demands.

### **RESPONSE P-17**

Similar to traffic-related improvements, other infrastructure facilities that are necessary to serve future on-site development would be implemented as necessary to meet additional demands of future projects. The need for additional facilities or payment of fees to construct future facilities associated with each future development project would be determined through subsequent review of each such project by the City as they are proposed. At this time it is not possible or appropriate to speculate on the specific location or timing of such improvements, as adequate details are not available at this time to do so.

### **RESPONSE P-18**

While the Specific Plan has designated specific Planning Areas within the Plan area for school sites, the ultimate discretion regarding the specific siting and design of public schools is under the jurisdiction of the California Department of Education (CDE). According to the CDE's Power Line Setback Exemption Guidance (May 2006), while ultimately determined on a case-by-case basis through environmental and CDE review, typical setbacks for school facilities from overhead electrical transmission facilities is as follows<sup>15</sup>:

- 100 feet for 50-133kV line (interpreted by CDE up to <200kV)
- 150 feet for 220-230 kV line
- 350 feet for 500-550 kV line

Future siting and development of school facilities within the Specific Plan area would be required to comply with these setback requirements, as applicable, and/or other specific requirements of the CDE.

<sup>15</sup> California Department of Education, Power Line Setback Exemption Guidance, May 2006. Available online at: <http://www.cde.ca.gov/ls/fa/sf/powerlinesetback.asp>. Accessed April 2015.

**RESPONSE P-19**

The Draft EIR addressed air quality impacts, including TACs, in Section 4.C, Air Quality, with supporting technical data provided in Appendix B. As discussed therein under Impact 4.C-4 beginning on page 4.C-50, construction activities and project operations would not expose nearby sensitive receptors to substantial or long-term TAC emissions. Therefore, construction and operation of the project would result in less than significant TAC impacts to off-site receptors. However, operation of the project would potentially locate on-site sensitive receptors in close proximity to freeways (I-15 and I-210), which may expose on-site sensitive receptors to substantial sources of motor vehicle TAC emissions. The Draft EIR concluded that operational TAC impacts to on-site receptors would be significant and unavoidable.

**RESPONSE P-20**

As noted in previous responses, the specific location, timing, type of development, and associated potential for health risks cannot be determined at this time. Accordingly, as required by CEQA, future on-site development projects would be subject to subsequent environmental review, including site-specific health risks assessments (if appropriate), in order to determine the specific risks to future populations and identify necessary and appropriate mitigation to address such risks.

**RESPONSE P-21**

Public agency comments and the City's responses are included in this Final EIR document.

**RESPONSE P-22**

The Planning Commission suggests that a separate study session be held to further study the proposed Specific Plan and Draft EIR. This comment does not raise a specific question or comment regarding the Draft EIR or its contents, and therefore no further response is warranted.

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## 3.0 CORRECTIONS AND ADDITIONS TO THE DRAFT EIR

This section of the Final EIR provides changes and additions to the Draft EIR that have been made to clarify, correct, or add to the information provided in that document. Such changes and additions are a result of public and agency comments received in response to the Draft EIR and/or new information that has become available since publication of the Draft EIR. The changes described in this section do not result in any new or changed conclusions to the Draft EIR analyses or increased significant environmental impacts that would result from the proposed project.

### 1. CORRECTIONS AND ADDITIONS

The corrections and additions to the Draft EIR are presented below. A line through text (i.e., ~~text~~) indicates it has been deleted, while double underlined text (i.e., text) is text that has been added.

#### Executive Summary

##### 1. Page ES-1. Revise the first sentence in the last paragraph as follows:

The proposed Specific Plan would result in the following changes to the allowable development within the Specific Plan boundaries: an increase of up to ~~4,072~~3,072 residential dwelling units; a decrease of 6.4 acres of commercial uses; an increase of approximately 52 acres of parks/open space; an increase of 74 acres of public school uses; and an increase of approximately 8.5 acres of road right-of-way.

##### 2. Page ES-2. Revise the second to last paragraph as follows:

The community is comprised of four villages. These villages, including their community structure and design, are discussed following the summary presented for each village. All of the land uses within each village are incorporated into 68 development areas, designated as “Planning Areas” (PAs). *Table ES-1, Planning Area Land Use Summary*, below, provides the total acres for each land use including total dwelling units planned. It should be noted that the City has requested that the capacity for additional residential density be provided within the Westgate Specific Plan, in order to help the City reach its State-mandated long-term housing requirements. Such additional housing could be provided on up to 20 acres within Planning Area 24 by allowing residential density up to ~~50~~39 dwelling units per acre as a permitted use, for a total of up to ~~1,000~~780 additional residential units, which would replace the planned Mixed-Use 1 land uses on that portion of the planning area. Although the maximum allowable density in this Planning Area would be 39 dwelling units per acre, the target density for this area would be 37.5 dwelling units per acre, or a total of 750 residential units. While implementation of this development scenario is not considered likely, it is nonetheless evaluated throughout this Draft EIR in order to address the potential effects of the additional housing within the Specific Plan area.

**3. Page ES-3. Revise Table ES-1 as follows:**

**Table ES-1**

**Planning Area Land Use Summary**

<b>Land Use Description</b>	<b>Acres</b>	<b>Target Dwelling Units <sup>a</sup></b>
Mixed-Use 1 (MU-1)	110.2 <sup>b</sup>	
Mixed-Use 2 (MU-2)	71.6	
Mixed-Use 3 (MU-3)	69.7	
Commercial Retail (C)	50.9	
Residential-1 (R-1)	38.4	148
Residential-2 (R-2)	81.6	732
Residential-3a (R-3a)	132.5	2,029
Residential-3b (R-3b)	47.2	1,001
Residential-4 (R-4)	30.0 <sup>c</sup>	<u>1,500-750<sup>c</sup></u>
Open Space/Public Park (P1)	47.8	
Open Space/Private Park (P2)	9.15	
Open Space/Landscape (OS/L)	1.4	
Open Space/Utility Corridors (OS/UC)	96.1	
Open Space/Drainage Corridor (OS/DC)	4.1	
High School (HS)	60.0	
Elementary Schools (ES)	24.0	
Other (Major road rights-of-way)	89.3	
<b>TOTAL ACRES</b>	<b>964.0</b>	
<b>MAXIMUM DWELLING UNITS</b>		<b>5,410<sup>d</sup></b>

<sup>a</sup> Refer to Section 6.5, *Definition of Target Dwelling Units, Target Density, Density Range and Density Transfer*, in the proposed Specific Plan for discussion of Target Dwelling Units and Transfer of Dwelling Units.

<sup>b</sup> If high density residential uses are developed on up to 20 acres in Planning Area 24, total acreage of MU-1 business park uses within the Specific Plan area would be reduced by 20.0 acres to a total of 90.2 acres.

<sup>c</sup> If high density residential uses are developed on up to 20 acres in Planning Area 24, R-4 uses within the Specific Plan area would be increased by 20.0 acres to a total of 50.0 acres and 2,500-1,500 target dwelling units.

<sup>d</sup> If high density residential uses are developed on up to 20 acres in Planning Area 24, total target dwelling units within the Specific Plan area would be increased by 1,000-750 dwelling units to a total of 6,410-5,410 dwelling units.

Source: Westgate Specific Plan, 2014

**4. Page ES-3. Revise the last paragraph as follows:**

Residential land uses are located throughout the community and are designed to establish a village character. The residential uses are interconnected to the entire Westgate Community and surrounding uses through pedestrian walks and both off and on-street bicycle lanes. Approximately 329.7 acres of residential uses are planned with 5,410-4,660 total maximum dwelling units.

**5. Page ES-3. Revise footnote no. 3 at the bottom of the page as follows:**

If high density residential uses are developed on up to 20 acres in Planning Area 24, a total of 349.7 acres of residential uses with 6,410–5,410 target dwelling units would be developed within the Specific Plan area.

**6. Page ES-4. Revise the 2<sup>nd</sup> paragraph as follows:**

The Westgate Specific Plan project area is located adjacent to the I-15 Freeway and SR-210. The I-15 freeway major interstate transportation corridor connects San Diego with Las Vegas. It includes a High Occupancy Vehicle lane and four travel lanes in each direction. It provides excellent regional access to other nearby interstate freeways, including the SR-210, I-215, I-10 and SR-60 freeways. Access to the Westgate Specific Plan from the I-15 occurs at Baseline Avenue and Summit Avenue. The SR-210 Freeway connects from Los Angeles to the west and Redlands to the east. It has a High Occupancy Vehicle lane and four three travel lanes in each direction. It also provides excellent regional access to other nearby interstate freeways, including the I-15, I-215, I-10 and I-60 Freeways. The Cherry Avenue/SR-210 interchange provides direct access into the Westgate Specific Plan.

**7. Page ES-5. Revise Sustainability Feature SF-3 as follows:**

**SF-3:** In order to further conserve resources, in addition to the above, the Westgate Specific Plan is designed to use recycled water for landscape irrigation in public parks and rights of ways. The Inland Empire Utilities Agency (IEUA) is in the process of building a regional recycled water system to serve the Westgate Specific Plan and other areas in Fontana. The IEUA system would utilize recycled water provided by the Cucamonga Valley Water District and Fontana Water Company. The Fontana Water Company will provide, when it is available, recycled water to customers in its service area who are able to use recycled area.

**8. Page ES-8. Delete the last paragraph at the bottom of the page as follows:**

~~**Transportation/Traffic:** While traffic-related impacts to local intersections under the proposed Specific Plan would be reduced to less than significant with implementation of applicable mitigation measures, the additional traffic generation associated with development of R-4 residential uses on up to 20.0 acres within Planning Area 24 could result in significant impacts to intersections even with implementation of applicable mitigation measures. As such, it is conservatively concluded that intersection impacts would be significant and unavoidable. Please refer to Section 4.N, *Transportation/Traffic*, of this Draft EIR for further discussion of this topic.~~

**9. Page ES-11. Revise text in the second full paragraph from the top of the page as follows:**

Of the Alternatives analyzed in the Draft EIR, the No Project/No Build Alternative is considered the overall environmentally superior alternative as it would reduce the vast majority of the project impacts and avoid the project's significant impacts regarding agriculture and forestry resources (farmland conversion), conflicts with the applicable AQMP, short-term construction-related air quality impacts, permanent loss of known historic resources, and long-term operational impacts relative to air quality and noise, and traffic-related impacts to intersections. However, as indicated

above, this Alternative would not meet any of the project objectives. The extent to which each project Alternative would meet each of the stated objectives of the proposed project is summarized in Table 5-2 in Chapter 5, *Alternatives*, of this Draft EIR.

**10. Page ES-15. Insert Mitigation Measure C-2a above Mitigation Measure C-3 as follows:**

**Mitigation Measure C-2a** During project construction, the City shall require diesel-fueled on-road haul trucks importing or exporting soil or other materials to and from the project site to meet the USEPA model year 2007 or newer on-road emissions standards. A copy of each unit's certified emissions standard documentation shall be available during construction activities.

**11. Page ES-18. Revise Mitigation Measure C-12 as follows:**

**Mitigation Measure C-12** The City shall require future commercial and industrial projects with loading docks or dedicated delivery areas to provide on-site electrical connections for trucks TRUs—and require that all electric-capable trucks TRUs—utilize the connections when in use on-site. Such projects shall be required to post signage at all loading docks and/or dedicated delivery areas directing electric-capable truck TRU-operators to utilize the connections.

**12. Page ES-18. Revise Mitigation Measure C-13 as follows:**

**Mitigation Measure C-13** The City shall require future residential, commercial, and industrial projects promote the expanded use of renewable fuel and low-emission vehicles by including one or both of the following project components: provide preferential parking for ultra-low emission, zero-emission, and alternative-fuel vehicles; and provide electric vehicle charging stations within the development. Future multi-family residential, commercial, and industrial projects shall be required to provide parking spaces capable of supporting future installation of electric vehicle charging stations consistent with the CALGreen code Tier 1 standards.

**13. Page ES-19. Mitigation Measure C-18 is added after Mitigation Measure C-17 as follows:**

**Mitigation Measure C-18** Residential, commercial, and industrial buildings, where appropriate and applicable, shall be required to be constructed with solar-ready rooftops that provide for the future installation of on-site solar photovoltaic (PV) or solar water heating (SWH) systems.

**14. Page ES-19. Mitigation Measure C-19 is added after Mitigation Measure C-18 as follows:**

**Mitigation Measure C-19** Future implementing projects with residential, commercial, or industrial buildings or on-site paved surface areas, where appropriate and applicable, shall be required to be constructed with cool roofing or cool pavement materials that would at a minimum meet the CALGreen code Tier 1 standards.

**15. Page ES-19. Mitigation Measure C-20 is added after Mitigation Measure C-19 as follows:**

**Mitigation Measure C-20** Future implementing projects with residential and commercial buildings, where appropriate and applicable, shall be required to install Energy Star-rated or equivalent appliances.

**16. Page ES-19. Mitigation Measure C-21 is added after Mitigation Measure C-20 as follows:**

**Mitigation Measure C-21** Tenants of future implementing projects shall be encouraged to use water-based or low VOC cleaning products. Information on water-based or low VOC cleaning products can be obtained from the following sources:

- South Coast Air Quality Management District:  
<http://www.aqmd.gov/home/programs/business/business-detail?title=low-voc-cleaning-materials-equipment-list>
- California Air Resources Board:  
[http://www.arb.ca.gov/research/indoor/cleaning\\_products\\_fact\\_sheet-10-2008.pdf](http://www.arb.ca.gov/research/indoor/cleaning_products_fact_sheet-10-2008.pdf)
- U.S. Environmental Protection Agency:  
<http://www.epa.gov/greenhomes/protectingyourhealth.htm>

**17. Page ES-29. Revise Mitigation Measures D-3 as follows:**

**Mitigation Measure D-3** Prior to the issuance of any grading permit in areas determined to support sensitive species or sensitive plant communities (e.g., RSS and RAFSS in the Westgate Village area) to which significant impacts would occur, an assessment shall be conducted to confirm the presence and extent of these vegetation communities and potentially suitable habitat for sensitive plants. If suitable habitat is present for sensitive plants, a focused survey shall be conducted. The survey shall be conducted by a qualified biologist with experience in conducting plant surveys and pursuant to the CDFW protocol (i.e., "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities"). If any sensitive plant species are found the significance of potential impacts shall be assessed following the guidelines in the CDFW protocol, including the significance of the populations observed considering nearby populations and total species distribution. Impacts to sensitive plant communities shall be minimized to the greatest extent feasible. For significant impacts, mitigation shall be proposed and outlined in a Habitat Mitigation and Monitoring Plan (HMMP) that shall be prepared during project-level approvals. The HMMP shall offset impacts to the species and/or plant communities, focusing on the creation of equivalent habitats within disturbed habitat areas within the study area and/or off-site. In addition, the HMMP shall provide details as to the implementation of the mitigation, maintenance, and future monitoring. Mitigation for impacts shall be offset by on- or off-site replacement, restoration, or enhancement of each respective sensitive plant species/community within an area dedicated for conservation. Ratios of mitigation to impacts shall occur at no less than 0.5:1 for disturbed, remnant plant populations/communities (e.g. Disturbed RSS and Disturbed RAFSS), and at a minimum 1:1 ratio for less disturbed plant populations/communities (e.g. RSS and RAFSS/Disturbed). Mitigation shall occur in one or more of the following ways, as determined appropriate by a qualified biologist:

1. Transplantation of sensitive plant species (on-site or off- site);

2. Seeding of plant species (on-site or off- site);
3. Planting of container plants (on-site or off- site);
4. Salvage of on-site duff and seed bank and subsequent dispersal (on-site or off- site); and/or
5. Off-site preservation at an established mitigation bank or other area dedicated for conservation.

**18. Page ES-31. Revise Mitigation Measure D-5 as follows:**

**Mitigation Measure D-5** Prior to the issuance of any grading permit that would all removal of habitat containing raptor and songbird nests, the project applicant shall demonstrate to the satisfaction of the City of Fontana that either of the following have been or will be accomplished.

1. Vegetation removal activities shall be scheduled outside the nesting season (September 16 to February 14 for songbirds; September 16 to January 14 for raptors) to avoid potential impacts to nesting birds.
2. Any construction activities that occur during the nesting season (February 15 to ~~August 31 September 15~~ for songbirds; January 15 to ~~August 31 September 15~~ for raptors) will require that all suitable habitat be thoroughly surveyed for the presence of nesting birds by a qualified biologist before commencement of clearing or ground disturbance activities. Surveys should be conducted within three (3) days prior to commencement of clearing or ground disturbance activities to the greatest extent feasible. Surveys may be required outside of the typical nesting season if the project biologist determines the potential for nesting activities. If any active nests are detected, a buffer of at least 300 feet (500 feet for raptors) will be delineated, flagged, and avoided until the nesting cycle is complete as determined by the biological monitor to minimize impacts. The project biologist may also recommend additional measures based on project-specific conditions to ensure compliance with all federal, state and local laws pertaining to nesting birds and birds of prey.

**19. Page ES-33. Revise 1<sup>st</sup> column as follows:**

Implementation of the proposed project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5. This impact is considered less than significant with mitigation incorporated.

**20. Page ES-59. Revise text in the last row of the right column of Table ES-4 under Significance After Mitigation as follows:**

Significant and Unavoidable-Less Than Significant Impact

## Chapter 2.0 – Project Description

### 1. Page 2-9. Revise the second sentence in the second paragraph as follows:

The proposed Specific Plan would result in the following changes to the allowable development within the Specific Plan boundaries: an increase of up to ~~4,072~~3,072 residential dwelling units; a decrease of 6.4 acres of commercial uses; an increase of approximately 52 acres of parks/open space; an increase of 74 acres of public school uses; and an increase of approximately 8.5 acres of road right-of-way.

### 2. Page 2-10. Revise the second to last paragraph as follows:

**Figure 2-7, Proposed Land Use Plan**, illustrates the overall land use plan for The Westgate Specific Plan with a summary of those uses provided below. The community is comprised of four villages as shown in **Figure 2-8, Proposed Village Map**. These villages, including their community structure and design, are discussed following the summary presented for each village. All of the land uses within each village are incorporated into 68 development areas, designated as “Planning Areas” (PAs). **Table ES-1, Planning Area Land Use Summary**, below, provides the total acres for each land use including total dwelling units planned. It should be noted that the City has requested that the capacity for additional residential density be provided within the Westgate Specific Plan, in order to help the City reach its State-mandated long-term housing requirements. Such additional housing could be provided on up to 20 acres within Planning Area 24 by allowing residential density up to ~~50~~39 dwelling units per acre as a permitted use, for a total of up to ~~1,000~~780 additional residential units, which would replace the planned Mixed-Use 1 land uses on that portion of the planning area. Although the maximum allowable density in this Planning Area would be 39 dwelling units per acre, the target density for this area would be 37.5 dwelling units per acre, or a total of 750 residential units. While implementation of this development scenario is not considered likely, it is nonetheless evaluated throughout this Draft EIR in order to address the potential effects of the additional housing within the Specific Plan area.

### 3. Page 2-11. Revise residential statistics in Figure 2-6 with the following changes:

Total R-4 DU: ~~1,500~~750

Total DU: ~~5,410~~4,660

### 4. Page 2-11. Revise footnote in Figure 2-6 as follows:

In order to meet State of California mandated housing requirements, an additional ~~1,000~~750 du (up to ~~50~~39 du per acre) are permitted in MU-1, PA 24. If developed with residential uses, the total project du may be increased up to ~~6,410~~5,410.

### 5. Page 2-12. Revise residential statistics in Figure 2-7 with the following changes:

Density range for Residential-4: 24.1 – ~~50.0~~39.0

Total Residential-4 DU: ~~1,500~~750

Total DU: ~~5,410~~4,660

**6. Page 2-12. Revise footnote in Figure 2-7 as follows:**

In order to meet State of California mandated housing requirements, an additional ~~1,000~~750 du (up to ~~50-39~~ du per acre) are permitted in MU-1, PA 24. If developed with residential uses, the total project du may be increased up to ~~6,410~~5,410.

**7. Page 2-15. Revise Table 2-1 as follows:**

See revised table below.

**8. Page 2-16. Revise the last paragraph as follows:**

Residential land uses are located throughout the community and are designed to establish a village character. The residential uses are interconnected to the entire Westgate Community and surrounding uses through pedestrian walks and both off and on-street bicycle lanes. Approximately 329.7 acres of residential uses are planned with ~~5,410~~4,660 total maximum dwelling units.

**9. Page 2-16. Revise footnote no. 3 at the bottom of the page as follows:**

If high density residential uses are developed on up to 20 acres in Planning Area 24, a total of 349.7 acres of residential uses with ~~6,410~~5,410 target dwelling units would be developed within the Specific Plan area.

**10. Page 2-18. Revise text under subheading (b) Westgate Center as follows:**

Westgate Center is designed as an integrated mixed use business and residential setting with high amenity urban life style options. With 85 acres of mixed-use business park uses planned, it would provide a major regional employment hub located along both the I-15 and Route 210 freeways, while a total of ~~2,037~~1,287 projected residential dwelling units with multiple park sites are also planned.<sup>4</sup> **Table 2-4, Westgate Center Summary**, below, provides a breakdown of proposed uses within the village, while **Figure 2-10, Westgate Center Land Use Plan**, illustrates the proposed land use plan for this area.

**11. Page 2-18. Modify footnote 4 at the bottom of the page as follows:**

As noted previously, Planning Area 24 could be developed with R4 residential uses up to ~~50-39~~ dwelling units per acre, but with a target density of 37.5 dwelling units per acre, which would increase the total target dwelling units within Westgate Center to ~~3,037~~2,037 units, or an increase of ~~1,000~~750 units over the proposed Specific Plan. Consequently, 20.0 acres of Mixed-Use 1 land uses within Planning Area 24 would be removed from Westgate Center (which is assumed to translate to 313,632 square feet of office space and 34,848 square feet of industrial space) for a new total of

Table 2-1

## Planning Area Land Use Summary

Land Use Description	Acres	Target Dwelling Units <sup>a</sup>
Mixed-Use 1 (MU-1)	110.2 <sup>b</sup>	
Mixed-Use 2 (MU-2)	71.6	
Mixed-Use 3 (MU-3)	69.7	
Commercial Retail (C)	50.9	
Residential-1 (R-1)	38.4	148
Residential-2 (R-2)	81.6	732
Residential-3a (R-3a)	132.5	2,029
Residential-3b (R-3b)	47.2	1,001
Residential-4 (R-4)	30.0 <sup>c</sup>	<u>1,500-750<sup>c</sup></u>
Open Space/Public Park (P1)	47.8	
Open Space/Private Park (P2)	9.15	
Open Space/Landscape (OS/L)	1.4	
Open Space/Utility Corridors (OS/UC)	96.1	
Open Space/Drainage Corridor (OS/DC)	4.1	
High School (HS)	60.0	
Elementary Schools (ES)	24.0	
Other (Major road rights-of-way)	89.3	
<b>TOTAL ACRES</b>	<b>964.0</b>	
<b>MAXIMUM DWELLING UNITS</b>		<b>5,410<sup>d</sup></b>

<sup>a</sup> Refer to Section 6.5, *Definition of Target Dwelling Units, Target Density, Density Range and Density Transfer*, in the proposed Specific Plan for discussion of Target Dwelling Units and Transfer of Dwelling Units.

<sup>b</sup> If high density residential uses are developed on up to 20 acres in Planning Area 24, total acreage of MU-1 business park uses within the Specific Plan area would be reduced by 20.0 acres to a total of 90.2 acres.

<sup>c</sup> If high density residential uses are developed on up to 20 acres in Planning Area 24, R-4 uses within the Specific Plan area would be increased by 20.0 acres to a total of 50.0 acres and 2,500-1,500 target dwelling units.

<sup>d</sup> If high density residential uses are developed on up to 20 acres in Planning Area 24, total target dwelling units within the Specific Plan area would be increased by 1,000-750 dwelling units to a total of 6,410-5,410 dwelling units.

Source: Westgate Specific Plan, 2014

163,089 square feet of office uses and 18,121 square feet of industrial uses on the remaining 10.4 acres.

**12. Page 2-21. Revise Table 2-4 as follows:**

See revised table below.

Table 2-4

## Westgate Center Summary

Planning Area	Land Use	Acres	Density Range	Target Density	Target DU
<b>BUSINESS PARK</b>					
12	Mixed-Use 1	4.6			
13	Mixed-Use 1	2.2			
14	Mixed-Use 1	14.1			
17	Mixed-Use 1	29.5			
23	Mixed-Use 1	4.2			
24	Mixed-Use 1	30.4 <sup>b</sup>			
<b>Subtotal</b>		<b>85.0 <sup>b</sup></b>			
<b>RESIDENTIAL</b>					
16	R-3a	11.8	12.1-18.0	15.0	177
18	R-4	30.0	24.1-50.0 <u>39.0</u>	<u>50.0-25.0</u>	<u>1,500-750</u>
19	R-3a	11.6	12.1-18.0	15.0	174
22	R-1 (7,200 s.f. minimum lots)	28.7	0-5.0	3.8	110
26	R-3a	5.1	12.1-18.0	15.0	76
<b>Subtotal</b>		<b>87.1 <sup>c</sup></b>			<b><u>2,037</u></b>
					<b><u>1,287 <sup>c</sup></u></b>
<b>OPEN SPACE</b>					
15	Open Space/Public Park	5.0			
15a	Open Space/Public Park	3.5			
16a	Open Space/Private Park	0.3			
18a	Open Space/Private Park	0.3			
18b	Open Space/Private Park	0.3			
18c	Open Space/Private Park	0.3			
18d	Open Space/Private Park	0.3			
19a	Open Space/Private Park	0.3			
20	Open Space/Utility Corridor	2.1			
21	Open Space/Utility Corridor	17.2			
25	Open Space/Utility Corridor	11.3			
<b>Subtotal</b>		<b>37.4</b>			
<b>TOTAL <sup>a</sup></b>		<b>209.6</b>			<b><u>2,037</u></b>
					<b><u>1,287 <sup>c</sup></u></b>

<sup>a</sup> Roads not included in total. Planning Area 22 has an approved Tentative Tract Map with minimum 7,200 square feet lots and includes a trail within the adjacent utility corridor that is part of City wide regional trail system.

<sup>b</sup> Planning Area 24 could be developed with up to 20.0 acres of R4 Residential uses at a density of up to 50 39 dwelling units per acre, but with a target density of 37.5 dwelling units per acre, for a total of 1,000-750 target residential units. As such, the total acreage of Mixed-Use 1 uses within Westgate Center would be reduced to 65.0 acres.

<sup>c</sup> If high density residential uses are developed within Planning Area 24, total residential acreage within Westgate Center would be increased by 20.0 acres for a total of 107.1 acres and total target residential units would be increased by 1,000-750 units to a total of 3,037-2,037 units.

Source: Westgate Specific Plan, 2014

**13. Page 2-26. Revise the second to last paragraph as follows:**

A pedestrian bridge is planned to span Summit Avenue north of Sierra Lakes Parkway in the central portion of Westgate Center is planned at Baseline Avenue to provide a grade-separated crossing over the six lane divided road. The bridge would provide multiple community-wide benefits described more fully in Section 3.4.7 of the proposed Specific Plan with a design concept of the type of bridge that is envisioned at this location.

**14. Page 2-35. Modify the first full paragraph on the page under the Westgate Center subheading as follows:**

As shown in Figures 2-13 and 2-14, Westgate Center would include multiple park and recreation areas. In addition to six private parks of 0.3 acres, each with pools, a centrally located five-acre public park is planned with a multi-use field, two tennis courts, two basketball courts, sand or paved volleyball courts, a picnic/BBQ area, turf amphitheater, and restroom building. A proposed pedestrian bridge is planned to span Summit Avenue north of Sierra Lakes Parkway in the central portion of Westgate Center. The bridge would provide a safe grade-separated crossing and serve Westgate and City-wide purposes.

**15. Page 2-35. Modify the third paragraph on the page under the Westgate Village subheading as follows:**

Along the south portion of Westgate Village, adjacent to the SANBAG right-of-way and future regional trail, a park is planned with an exercise course, picnic tables and barbeques. ~~The pedestrian bridge planned for The Westgate Specific Plan would provide a grade-separated access into the park and regional trail across Baseline Avenue.~~

**16. Page 2-36. Modify the second bullet at the top of the page as follows:**

- A pedestrian bridge, discussed below, would enhance access between high density residential uses, mixed-use business park uses, and various public amenities within Westgate Center across Baseline Avenue between the Village of Heritage and the Westgate Specific Plan villages.

**17. Page 2-36. Replace text under subheading (c) Pedestrian Bridge with the following:**

The proposed pedestrian bridge is planned to span Summit Avenue north of Sierra Lakes Parkway in the central portion of Westgate Center. Figure 2-15 in the Draft EIR illustrates the bridge's general location. The bridge would provide a safe grade-separated crossing and serve Westgate and City-wide purposes as follows:

- Provide a safe crossing for children and adults, whether walking or biking.
- Provide a grade-separated link via proposed Class I bike lanes to a major City-wide regional bike trail, the northeast/southwest oriented utility corridor, which would also provide a direct connection to the east / west oriented SANBAG corridor at the southern edge of the Specific Plan area.
- Facilitate access between high density residential uses, mixed-use business park uses, and various public amenities within Westgate Center.

**18. Page 2-40. Revise Sustainability Feature SF-3 as follows:**

**SF-3:** In order to further conserve resources, in addition to the above, the Westgate Specific Plan is designed to use recycled water for landscape irrigation in public parks and rights of ways. The Inland Empire Utilities Agency (IEUA) is in the process of building a regional

recycled water system to serve the Westgate Specific Plan and other areas in Fontana. The IEUA system would utilize recycled water provided by the Cucamonga Valley Water District and Fontana Water Company. The Fontana Water Company will provide, when it is available, recycled water to customers in its service area who are able to use recycled area.

## Chapter 3 – Basis for Cumulative Analysis

### 1. Page 3-5. Modify Table 3-2 as follows:

Table 3-2

#### Cumulative Development Summary

Related Project	Residential (units)	Office (acres)	Retail (acres)	Industrial (acres)	School (acres)
Arboretum Specific Plan	3,526	-	8.8	-	46.0
Ventana Specific Plan	842	8.3	4.9	-	-
Summit at Rosena Specific Plan	856	-	1.0	-	12.0
Citrus Heights North Specific Plan	530 <sup>a</sup>	-	-	-	-
<i>Subtotal Related Projects</i>	5,754	8.3	14.7	0.0	58.0
<b>Proposed Project</b>	<b>5,931</b>	<b>155.2</b>	<b>15.2</b>	<b>23.6</b>	<b>84.0</b>
	<u>5,410</u>				
<b>TOTAL</b>	<b>11,685</b>	<b>163.5</b>	<b>29.9</b>	<b>23.6</b>	<b>142.0</b>
	<u>11,164</u>				

<sup>a</sup> The Citrus Heights North Specific Plan was approved for a total of 1,154 residential units (606 single-family and 548 multi-family); however, approximately 350 single-family units have been constructed and approximately half of the multi-family units are completed, resulting in 530 units yet to be constructed.

Source: PCR Services Corporation, 2014

## Chapter 4.A – Aesthetics/Visual Resources

### 1. Page 4.A-13. Modify text in the first paragraph under Project Design Features as follows:

As discussed in Chapter 2, *Project Description*, of this Draft EIR, the proposed Specific Plan would allow for the future development of up to 5,410-4,660 residential units at a range of densities, approximately 51 acres of commercial retail uses, approximately 252 acres of mixed-use business park and e-commerce uses, approximately 159 acres of parks and open space, a 60-acre high school, two 12-acre elementary schools, and approximately 89 acres of roadways within the largely undeveloped 964-acre project area.<sup>15</sup> The Specific Plan also includes development standards and design guidelines that would provide for a consistent and compatible development pattern with unifying architectural and other design features to maximize aesthetic appeal within the project area. These development standards and design guidelines are pertinent to the proposed project's impacts to visual character, views, and light and glare, and are therefore discussed further below.

**2. Page 4.A-13. Modify footnote 15 as follows:**

If high density residential uses were developed within Planning Area 24, total allowable residential units would be increased by up to 1,000–750 units to a total of 6,410–5,410 units, and mixed-use business park uses would be decreased by 20.0 acres to a total of approximately 231.5 acres within the Specific Plan area.

**Chapter 4.C – Air Quality****21. Page 4.C-34. Revise SF-3 as follows:**

**SF-3:** In order to further conserve resources, in addition to the above, the Westgate Specific Plan is designed to use recycled water for landscape irrigation in public parks and rights of ways. The Inland Empire Utilities Agency (IEUA) is in the process of building a regional recycled water system to serve the Westgate Specific Plan and other areas in Fontana. The IEUA system would utilize recycled water provided by the Cucamonga Valley Water District and Fontana Water Company. The Fontana Water Company will provide, when it is available, recycled water to customers in its service area who are able to use recycled area.

**22. Page 4.C-38. Revise the last sentence in the paragraph under Subheading (4), High-Cube Warehouse Facility Health Risk Assessment, as follows:**

The HRA was performed using detailed dispersion modeling (AERMOD/ISCST3), emission factors from the CARB EMFAC2011 on-road mobile source emissions inventory model, ~~the CARB TRU emissions inventory database~~, and truck traffic data from the traffic report.

**23. Page 4.C-48. The Unmitigated Operational Emissions in Table 4.C-6 is revised as follows:**

Table 4.C-6

**Unmitigated Westgate Specific Plan  
Operational Emissions – Phase I and Buildout<sup>a</sup>  
(Pounds per Day)**

Emission Source	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>Phase I - Year 2018</b>						
Mobile	79 74	239 256	883 836	3 2	150 156	42 44
Energy	1	9	4	<1	1	1
Area Sources	140	2	149	<1	3	3
<b>Total Net</b>	<b>220 215</b>	<b>250 267</b>	<b>1036 989</b>	<b>3 2</b>	<b>154 160</b>	<b>46 48</b>
<b>SCAQMD Significance Threshold</b>						
Over/(Under)	165 160	195 212	486 439	(147148)	4 10	(97)
<b>Exceed Threshold?</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>
<b>Buildout - Year 2035</b>						
Mobile	194 161	491 435	2,315 1,889	10 8	655 590	184 166
Energy	4	34	17	<1	3	3
Area Sources	378	6	529	<1	12	11
<b>Total Net</b>	<b>576 543</b>	<b>531 475</b>	<b>2,861 2,434</b>	<b>10 8</b>	<b>670 604</b>	<b>198 180</b>
<b>SCAQMD Significance Threshold</b>						
Over/(Under)	521 488	413 420	2,311 1,884	(140142)	520 454	143 125
<b>Exceed Threshold?</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>Yes</b>

<sup>a</sup> Emission quantities are rounded to “whole number” values. As such, the “total” values presented herein may be one unit more or less than actual values. Exact values (i.e., non-rounded) are provided in the CalEEMod model printout sheets and/or calculation worksheets that are presented in Appendix B.

Source: PCR Services Corporation, 2014

**24. Page 4.C-54. A New Paragraph and Table are Added After the Second Paragraph as follows:**

Planning Area 41 would provide for warehouse and distribution uses, which would generate on-site operational emissions from area sources (i.e., natural gas combustion) and on-site mobile sources. On-site emissions from area sources were estimated using the California Emissions Estimator Model (CalEEMod). On-site mobile emissions from on-site travel, queuing, and idling were estimated using the EMFAC on-road vehicle emissions model for heavy-duty trucks. On-site emissions are shown in **Table 4.C-7a, Planning Area 41 Warehouse and Distribution – Operational Localized Impacts**. As shown, on-site emissions from the warehouse and distribution uses in Planning Area 41 would not be anticipated to exceed the operational LSTs. Thus, localized operational impacts of the warehouse and distribution uses in Planning Area 41 would be less than significant.

**Table 4.C-7a****Planning Area 41 Warehouse and Distribution – Operational Localized Impacts <sup>a</sup>**

	<b>Planning Area 41</b>					
	<b>VOC</b>	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>SO<sub>x</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>
<b>On-Site Truck Traveling and Idling</b>	<u>2</u>	<u>17</u>	<u>9</u>	<u>&lt;1</u>	<u>&lt;1</u>	<u>&lt;1</u>
<b>On-Site Energy (Natural Gas)</b>	<u>&lt;0.1</u>	<u>0.5</u>	<u>0.4</u>	<u>&lt;0.1</u>	<u>&lt;0.1</u>	<u>&lt;0.1</u>
<b>Maximum Localized Emissions</b>	<u>2</u>	<u>18</u>	<u>10</u>	<u>&lt;1</u>	<u>&lt;1</u>	<u>&lt;1</u>
<b>SCAQMD Localized Significance Threshold <sup>b</sup></b>	<u>=</u>	<u>270</u>	<u>2,193</u>	<u>=</u>	<u>4</u>	<u>2</u>
<b>Over (Under)</b>	<u>=</u>	<u>(252)</u>	<u>(2,183)</u>	<u>=</u>	<u>(4)</u>	<u>(2)</u>
<b>Exceed Threshold?</b>	<u>=</u>	<u>No</u>	<u>No</u>	<u>=</u>	<u>No</u>	<u>No</u>

<sup>a</sup> Emission quantities are rounded to “whole number” values. As such, the “total” values presented herein may be one unit more or less than actual values. Exact values (i.e., non-rounded) are provided in the CalEEMod model printout sheets and/or calculation worksheets that are presented in Appendix B.

<sup>b</sup> In order to provide a conservative (i.e., health protective) assessment, the SCAQMD LSTs are based on Source Receptor Area 33 (Central San Bernardino County) for a 5-acre site with a 25-meter receptor distance.

Source: PCR Services Corporation, 2015

**25. Page 4.C-55. Revise the second paragraph under Subheading (ii), Impacts to Off-Site Populations, as follows:**

According to the traffic study for the project, the high-cube warehouse facility in Planning Area 41 could generate approximately 418 daily truck trips.<sup>1</sup> Only a very small percentage of transportation refrigeration units (TRUs), if any, are anticipated for Planning Area 41. For the purposes of this analysis, the number of TRUs is estimated at 10 percent of the number of trucks. In addition, for the purposes of this analysis, trucks and TRUs are assumed to be diesel fueled. As Planning Area 41 could result in truck and TRU trips in excess of the CARB siting guidelines, an HRA was performed to estimate potential risks to off-site sensitive receptors.

**26. Page 4.C-56 and -57. Revise the fourth through seventh paragraphs under Subheading (ii), Impacts to Off-Site Populations, as follows:**

The peak hour and daily emissions from trucks and TRUs associated with the high-cube warehouse facility are estimated using the CARB EMFAC2011 on-road mobile source emissions inventory model and the CARB TRU emissions inventory database. It was assumed that trucks would idle on-site for 10 15 minutes (5 minutes for an inbound trip, 5 minutes on-site, and 5 minutes for an outbound trip). It was assumed that TRUs would idle on-site for 2 hours to load and/or unload perishable goods. The on-site travel distance was estimated as one-half of the distance between the westernmost and easternmost edges of Planning Area 41. The on-site average travel speeds was assumed to be 15 miles per hour. The off-site travel distances were estimated based on a distance of approximately one-quarter mile from Planning Area 41 along local roadways, freeways, and freeway on- and off-ramps (i.e., Cherry Avenue, Interstate 15, and State Route 210). In order to model potential impacts from truck travel and TRUs at the nearest existing sensitive receptors,

<sup>1</sup> Kunzman Associates, Inc. Westgate Specific Plan Traffic Impact Analysis, (2013).

the distance along the portion of Cherry Avenue to south of Planning Area 41 was extended to the intersection of Cherry Avenue and Baseline Avenue and includes a one-quarter mile segment along Baseline Avenue, to the west of Cherry Avenue. The off-site average travel speeds was assumed to be 25 miles per hour on roadways and 45 miles per hour on freeways.

For the purposes of this analysis, exhaust PM<sub>10</sub> emissions from trucks and TRUs were used to represent DPM, assuming that all equipment are fueled with diesel. According to data provided by CARB in the California Emissions Inventory and Reporting System (CEIDARS) Particulate Matter (PM) Speciation Profiles, all particulate matter from diesel vehicle exhaust emissions are less than 10 microns in aerodynamic diameter. Therefore, diesel exhaust PM<sub>10</sub> may be used as a surrogate for DPM emissions. As previously stated, neither OEHHA nor CARB have identified noncancer acute impact factors for whole diesel exhaust. Therefore, acute impacts from DPM must be evaluated based on the speciated components. The speciated components of DPM can be divided into two groups: the VOCs and the particulate matter components. The exhaust total organic gas (TOG) emissions from trucks and TRUs were used to calculate the acute impacts from the organic components of DPM. The acute impacts from the organic components are added to the acute impacts from the particulate matter components of DPM. The speciation fractions for the organic and particulate components were obtained from CARB.<sup>2</sup>

The mass emissions were converted to emission rates in units of grams per second for dispersion modeling purposes. The evaluation of acute 1-hour impacts is based on the maximum peak hour emissions from trucks and TRUs. The evaluation of acute 8-hour impacts is based on the assumption that trucks and TRUs would visit the high-cube warehouse over a 12-hour workday. The evaluation of chronic impacts is based on the maximum annual emissions, generally associated with the assumed first year of operation (i.e., 2018). The evaluation of cancer impacts is based on the 70-year weighted annual average emissions using emission factors from EMFAC2011 corresponding to calendar years 2018, 2020, 2025, 2030, and 2035 and from the TRU emissions inventory database corresponding to calendar years 2018, 2020, and 2025.

Health risks and impacts are evaluated based on the concentration of TACs at a sensitive receptor. Concentrations of DPM due to the operation of the high-cube warehouse were modeled using the U.S. EPA and SCAQMD-approved air quality dispersion model, AERMOD. AERMOD can estimate the air quality impacts of single or multiple point, area, or volume sources using historical meteorological conditions. Volume sources are three-dimensional sources of emissions that can be used to model releases from a variety of industrial uses, including moving diesel trucks and equipment. Volume sources were used to represent the emissions from trucks and TRUs for off-site roadway travel. An area source covering Planning Area 41 was used to represent the emissions from on-site travel and idling. The AERMOD model was run with meteorological data obtained from the SCAQMD for the City of Fontana area. A discrete Cartesian receptor grid was used to determine impacts in the vicinity of the site. Field receptors were placed at 100-meter intervals outside the boundary of Planning Area 41 to cover nearby existing and potential future sensitive receptors in the nearby community and other Planning Areas of the Westgate Specific Plan. Due to the size of the site and the number of model runs required, this receptor grid was determined to provide a balanced approach with respect to receptor coverage and model run times. The SCAQMD requires that AERMOD be run using U.S. EPA regulatory default options, unless non-default options are justified. Since

<sup>2</sup> California Air Resources Board, "Organic Gas Speciation Profile Reference Information," (09/20/12, Profile 818), and "CEIDARS Particulate Matter (PM) Speciation Profiles," (09/20/12, Profile 425), <http://arb.ca.gov/ei/speciate/dnldoptvv10001.php>. Downloaded 03/13/2014.

non-default options were not justified, AERMOD was run using the following U.S. EPA regulatory default options: (1) urban dispersion; (2) flagpole receptor height of 0 meters (corresponding to ground-level concentrations); and (3) no building downwash (no point sources were modeled). Thus, the AERMOD complies with SCAQMD requirements with respect to U.S. EPA regulatory default options.

**27. Page 4.C-58 and -59. The Warehouse HRA Risk values in Tables 4.C-8 through 4.C-11 are revised as follows:**

**Table 4.C-8**

**Summary of Maximum Modeled DPM Concentrations and Cancer Risk**

Receptor	Modeled DPM Concentration ( $\mu\text{g}/\text{m}^3$ )	Incremental Increase in Cancer Risk (in one million)	Significance Threshold (in one million)	Exceeds Threshold?
MEI Worker	0.0077 <u>0.0096</u>	0.48 <u>0.60</u>	10	No
MEI Residential	0.0077 <u>0.0096</u>	2.45 <u>3.05</u>	10	No
<u>MEI Student</u>	<u>0.001</u>	<u>0.04</u>	<u>10</u>	<u>No</u>

Source: PCR Services Corporation, 2014

**Table 4.C-9**

**Summary of Maximum Modeled Annual DPM Concentrations and Noncancer Chronic Health Impacts**

Receptor	Modeled Annual DPM Concentration ( $\mu\text{g}/\text{m}^3$ )	Maximum Chronic Hazard Index	Target Organ	Significance Threshold	Exceeds Threshold?
MEI <u>Residential Sensitive</u>	0.2919 <u>0.415</u>	0.0584 <u>0.0829</u>	Respiratory System	1.0	No
<u>MEI Student</u>	<u>0.040</u>	<u>0.0080</u>	<u>Respiratory System</u>	<u>1.0</u>	<u>No</u>

Source: PCR Services Corporation, 2014

**Table 4.C-10****Summary of Maximum Noncancer Acute (1-Hour) Health Impacts**

<b>Receptor</b>	<b>Maximum Acute Hazard Index</b>	<b>Target Organ</b>	<b>Significance Threshold</b>	<b>Exceeds Threshold?</b>
<b>Organic Components (affecting the same target organ)</b>				
MEI Residential	<u>0.0069</u> <u>0.0062</u>	Eye	1.0	No
<u>MEI Student</u>	<u>0.0016</u>	<u>Eye</u>	<u>1.0</u>	<u>No</u>
<b>Particulate Matter Components (affecting the same target organ)</b>				
MEI Residential	0.0000	Eye	1.0	No
<u>MEI Student</u>	<u>0.0000</u>	<u>Eye</u>	<u>1.0</u>	<u>No</u>
<b>Total Components (affecting the same target organ)</b>				
MEI Residential	<u>0.0069</u> <u>0.0062</u>	Eye	1.0	No
<u>MEI Student</u>	<u>0.0016</u>	<u>Eye</u>	<u>1.0</u>	<u>No</u>

Source: PCR Services Corporation, 2014

**Table 4.C-11****Summary of Maximum Noncancer Acute (8-Hour) Health Impacts**

<b>Receptor</b>	<b>Maximum Acute Hazard Index</b>	<b>Target Organ</b>	<b>Significance Threshold</b>	<b>Exceeds Threshold?</b>
<b>Organic Components (affecting the same target organ)</b>				
MEI Residential	<u>0.0305</u> <u>0.0221</u>	Respiratory System	1.0	No
<u>MEI Student</u>	<u>0.0048</u>	<u>Respiratory System</u>	<u>1.0</u>	<u>No</u>
<b>Particulate Matter Components (affecting the same target organ)</b>				
MEI Residential	0.0000	Respiratory System	1.0	No
<u>MEI Student</u>	<u>0.0000</u>	<u>Respiratory System</u>	<u>1.0</u>	<u>No</u>
<b>Total Components (affecting the same target organ)</b>				
MEI Residential	<u>0.0305</u> <u>0.0221</u>	Respiratory System	1.0	No
<u>MEI Student</u>	<u>0.0048</u>	<u>Respiratory System</u>	<u>1.0</u>	<u>No</u>

Source: PCR Services Corporation, 2014

**28. Page 4.C-62 and -63. The Freeway HRA Risk values in Tables 4.C-12 and 4.C-13 are revised as follows:**

**Table 4.C-12**

**Unmitigated Westgate Specific Plan - Cancer Risk Calculations**

Land Use	Cancer Risk (# in one million)
Residence	47 <u>52.73</u>
<u>Student</u>	<u>2.30</u>
<i>Maximum Individual Cancer Risk Threshold</i>	10
<i>Exceeds Threshold?</i>	<u>Residence: Yes</u> <u>Student: No</u>

*Source: PCR Services Corporation, 2012*

**Table 4.C-13**

**Unmitigated Westgate Specific Plan - Non-Cancer Chronic and Acute Calculations**

Land Use	Chronic Hazard Index	Acute Hazard Index (1-hour)
Residence	0.220 <u>0.091</u>	0.009 <u>0.030</u>
<u>Student</u>	<u>0.037</u>	<u>0.005</u>
<i>Total Hazard Index</i>	1.0	1.0
<i>Exceeds threshold?</i>	<u>Residence: No</u> <u>Student: No</u>	<u>Residence: No</u> <u>Student: No</u>

*Source: PCR Services Corporation, 2012*

**29. Page 4.C-63. A New Paragraph is Added After the First Full Paragraph as follows:**

The Westgate Specific Plan includes mixed-use planning areas that would be simultaneously located within 500 feet from a freeway and one-quarter mile from the proposed high-cube warehouse facility. These areas include portions of Planning Area 27 and Planning Area 42; however, it is noted that residential uses are not proposed for Planning Area 42. The combined potential increase in cancer risk for these planning areas simultaneously located within 500 feet from a freeway and one-quarter mile from the proposed high-cube warehouse facility would be approximately 56 in one million for a residential receptor and approximately 2 in one million for a student receptor. Therefore, the cancer risk impacts to future residents within 500 feet from a freeway and one-quarter mile from the proposed high-cube warehouse facility would exceed 10 in one million and would be considered significant. The cancer risk impacts to students would be considered less than significant since the impacts would be less than 10 in one million. The non-cancer chronic and acute impacts for residential and student receptors located within 500 feet from a freeway and one-quarter mile from the proposed high-cube warehouse facility would be less than significant since the maximum chronic and acute hazard indices would be well below the threshold of 1.0.

**30. Page 4.C-68. Mitigation Measure C-2a is added as follows:**

**Mitigation Measure C-2a** During project construction, the City shall require diesel-fueled on-road haul trucks importing or exporting soil or other materials to and from the project site to meet the USEPA model year 2007 or newer on-road emissions standards. A copy of each unit's certified emissions standard documentation shall be available during construction activities.

**31. Page 4.C-69. Revise Mitigation Measure C-12 as follows:**

**Mitigation Measure C-12** The City shall require future commercial and industrial projects with loading docks or dedicated delivery areas to provide on-site electrical connections for trucks TRUs—and require that all electric-capable trucks TRUs—utilize the connections when in use on-site. Such projects shall be required to post signage at all loading docks and/or dedicated delivery areas directing electric-capable truck TRU—operators to utilize the connections.

**32. Page 4.C-69 and -70. Revise Mitigation Measure C-13 as follows:**

**Mitigation Measure C-13** The City shall require future residential, commercial, and industrial projects promote the expanded use of renewable fuel and low-emission vehicles by including ~~one or both~~ of the following project components: provide preferential parking for ultra-low emission, zero-emission, and alternative-fuel vehicles; and provide electric vehicle charging stations within the development. Future multi-family residential, commercial, and industrial projects shall be required to provide parking spaces capable of supporting future installation of electric vehicle charging stations consistent with the CALGreen code Tier 1 standards.

**33. Page 4.C-70. Mitigation Measure C-18 is added as follows:**

**Mitigation Measure C-18** Residential, commercial, and industrial buildings, where appropriate and applicable, shall be required to be constructed with solar-ready rooftops that provide for the future installation of on-site solar photovoltaic (PV) or solar water heating (SWH) systems.

**34. Page 4.C-70. Mitigation Measure C-19 is added as follows:**

**Mitigation Measure C-19** Future implementing projects with residential, commercial, or industrial buildings or on-site paved surface areas, where appropriate and applicable, shall be required to be constructed with cool roofing or cool pavement materials that would at a minimum meet the CALGreen code Tier 1 standards.

**35. Page 4.C-70. Mitigation Measure C-20 is added as follows:**

**Mitigation Measure C-20** Future implementing projects with residential and commercial buildings, where appropriate and applicable, shall be required to install Energy Star-rated or equivalent appliances.

**36. Page 4.C-70. Mitigation Measure C-21 is added as follows:**

**Mitigation Measure C-21** Tenants of future implementing projects shall be encouraged to use water-based or low VOC cleaning products. Information on water-based or low VOC cleaning products can be obtained from the following sources:

- South Coast Air Quality Management District:  
<http://www.aqmd.gov/home/programs/business/business-detail?title=low-voc-cleaning-materials-equipment-list>
- California Air Resources Board:  
[http://www.arb.ca.gov/research/indoor/cleaning\\_products\\_fact\\_sheet-10-2008.pdf](http://www.arb.ca.gov/research/indoor/cleaning_products_fact_sheet-10-2008.pdf)
- U.S. Environmental Protection Agency:  
<http://www.epa.gov/greenhomes/protectingyourhealth.htm>

## Chapter 4.D – Biological Resources

**1. Page 4.D-46. Revised Mitigation Measure D-3 as follows:**

**Mitigation Measure D-3** Prior to the issuance of any grading permit in areas determined to support sensitive species or sensitive plant communities (e.g., RSS and RAFSS in the Westgate Village area) to which significant impacts would occur, an assessment shall be conducted to confirm the presence and extent of these vegetation communities and potentially suitable habitat for sensitive plants. If suitable habitat is present for sensitive plants, a focused survey shall be conducted. The survey shall be conducted by a qualified biologist with experience in conducting plant surveys and pursuant to the CDFW protocol (i.e., "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities"). If any sensitive plant species are found the significance of potential impacts shall be assessed following the guidelines in the CDFW protocol, including the significance of the populations observed considering nearby populations and total species distribution. Impacts to sensitive plant communities shall be minimized to the greatest extent feasible. For significant impacts, mitigation shall be proposed and outlined in a Habitat Mitigation and Monitoring Plan (HMMP) that shall be prepared during project-level approvals. The HMMP shall offset impacts to the species and/or plant communities, focusing on the creation of equivalent habitats within disturbed habitat areas within the study area and/or off-site. In addition, the HMMP shall provide details as to the implementation of the mitigation, maintenance, and future monitoring. Mitigation for impacts shall be offset by on- or off-site replacement, restoration, or enhancement of each respective sensitive plant species/community within an area dedicated for conservation. Ratios of mitigation to impacts shall occur at no less than 0.5:1 for disturbed, remnant plant populations/communities (e.g. Disturbed RSS and Disturbed RAFSS), and at a minimum 1:1 ratio for less disturbed plant populations/communities (e.g. RSS and RAFSS/Disturbed). Mitigation shall occur in one or more of the following ways, as determined appropriate by a qualified biologist:

1. Transplantation of sensitive plant species (on-site or off- site);
2. Seeding of plant species (on-site or off- site);
3. Planting of container plants (on-site or off- site);
4. Salvage of on-site duff and seed bank and subsequent dispersal (on-site or off- site); and/or

5. Off-site preservation at an established mitigation bank or other area dedicated for conservation.

**2. Page 4.D-47. Revise Mitigation Measure D-5 as follows:**

**Mitigation Measure D-5** Prior to the issuance of any grading permit that would all removal of habitat containing raptor and songbird nests, the project applicant shall demonstrate to the satisfaction of the City of Fontana that either of the following have been or will be accomplished.

1. Vegetation removal activities shall be scheduled outside the nesting season (September 16 to February 14 for songbirds; September 16 to January 14 for raptors) to avoid potential impacts to nesting birds.
2. Any construction activities that occur during the nesting season (February 15 to ~~August 31~~ September 15 for songbirds; January 15 to ~~August 31~~ September 15 for raptors) will require that all suitable habitat be thoroughly surveyed for the presence of nesting birds by a qualified biologist before commencement of clearing. If any active nests are detected, a buffer of at least 300 feet (500 feet for raptors) will be delineated, flagged, and avoided until the nesting cycle is complete as determined by the biological monitor to minimize impacts.

## Chapter 4.F – Hazards and Hazardous Materials

**1. Page 4.H-5. Revise text in the second paragraph under Subheading (h), State Landfills and/or Solid Waste Disposal Sites, as follows:**

One property located within 1/8-mile of the project area boundaries is listed on this database. Etiwanda Disposal Site at Etiwanda (in Rancho Cucamonga), located ~~approximately 1,000 feet west adjacent to and northwest of~~ the Westgate Village study area is listed on this database. This property is a former solid waste disposal site for the County of San Bernardino. Ninyo & Moore reviewed records available on the Department of Resources Recycling and Recovery website. Two inspections on July 12 and November 2, 2011 were conducted at the site and no violations or areas of concern were reported. Based on the ~~distance~~ location of the Etiwanda Disposal Site relative to the project study area, as well as previous soil removal activities associated with construction of the I-15 freeway, this facility would not be considered an environmental concern for the project site.

**2. 4.H-15. Add the following text after the first bullet point at the top of the page:**

- Another property, the Etiwanda Disposal Site, which was previously located adjacent to and northwest of the Westgate Village study area was listed on the State Landfills and/or Solid Waste Disposal Sites database. This facility was generally utilized for citrus orchard clippings and surplus fruit crop disposal, as well as other incidental waste disposal, with incineration of wastes conducted periodically as needed. This facility was closed prior to the construction of the Interstate 15 freeway in the mid-1970s, during which time the disposal site was graded and soil from the property was excavated for use in construction of the raised freeway corridor. Given the time that has elapsed since the facility was closed, the relatively benign nature of disposed

materials at the facility, the previous excavation and re-use of soil materials from the site, and location of the former disposal site relative to future on-site uses, the facility is not considered a potential environmental concern for the site.

## Chapter 4.G – Greenhouse Gas Emissions

### 1. Page 4.G-21. Revise Sustainability Feature SF-3 as follows:

**SF-3:** In order to further conserve resources, in addition to the above, the Westgate Specific Plan is designed to use recycled water for landscape irrigation in public parks and rights of ways. The Inland Empire Utilities Agency (IEUA) is in the process of building a regional recycled water system to serve the Westgate Specific Plan and other areas in Fontana. The IEUA system would utilize recycled water provided by the Cucamonga Valley Water District and Fontana Water Company. The Fontana Water Company will provide, when it is available, recycled water to customers in its service area who are able to use recycled area.

### 2. Page 4.G-23. The Unmitigated Greenhouse Gas Emissions in Table 4.G-2 are revised as follows:

Table 4.G-2

#### Unmitigated Proposed Westgate Specific Plan Annual Greenhouse Gas Emissions

Emission Source	CO <sub>2</sub> e (Metric Tons/year)			
	Phase I (2018)	Phase I BAU (2018)	Buildout (2035)	Buildout BAU (2035)
Amortized Construction	454	454	1,814	1,814
Area Sources	464	464	1,659	1,659
Electricity <sup>a</sup>	4,522	4,835	<u>21,014</u> <u>21,015</u>	<u>22,710</u> <u>22,711</u>
Natural gas	1,950	<u>2,478</u> <u>2,479</u>	7,185	9,081
Mobile Sources <sup>b</sup>	<u>29,050</u> <u>30,230</u>	<u>33,154</u> <u>34,501</u>	<u>101,218</u> <u>98,887</u>	<u>115,519</u> <u>112,859</u>
Solid Waste	625	625	2,060	2,060
Water	<u>829</u> <u>859</u>	1,051	2,875	3,447
<b>Total</b>	<b><u>37,923</u> <u>39,104</u></b>	<b><u>43,061</u> <u>44,408</u></b>	<b><u>137,825</u> <u>135,495</u></b>	<b><u>156,290</u> <u>153,631</u></b>
AB-32 Reduction Target <sup>c</sup>	15.8%	-	15.8%	-
<b>Percentage Reduction</b>	<b>11.9%</b>	<b>-</b>	<b>11.8%</b>	<b>-</b>
<b>Conflicts with Reduction Target?</b>	<b>Yes</b>	<b>-</b>	<b>Yes</b>	<b>-</b>

<sup>a</sup> Electricity Usage Rates from CalEEMod default values for Southern California Edison.

<sup>b</sup> Mobile source values were derived using CalEEMod and incorporate reductions in vehicle miles traveled from project design features and mitigation measures.

<sup>c</sup> Based on the updated ARB BAU estimate of 507 MMTCO<sub>2</sub>e by 2020, which requires a reduction of 80 MMTCO<sub>2</sub>e, or a 15.8 percent reduction below the estimated BAU levels to return to 1990 levels (i.e., 427 MMTCO<sub>2</sub>e) by 2020.

Source: PCR Services Corporation, 2014

### 3. Page 4.G-28. The Mitigated Greenhouse Gas Emissions in Table 4.G-3 are revised as follows:

See revised table below.

Table 4.G-3

## Mitigated Proposed Westgate Specific Plan Annual Greenhouse Gas Emissions

Emission Source	CO <sub>2</sub> e (Metric Tons/year)			
	Phase I (2018)	Phase I BAU (2018)	Buildout (2035)	Buildout BAU (2035)
Amortized Construction	454	454	1,814	1,814
Area Sources	464	464	1,659	1,659
Electricity <sup>a</sup>	4,522	4,835	<u>21,014</u> <u>21,015</u>	<u>22,710</u> <u>22,711</u>
Natural gas	1,950	<u>2,478</u> <u>2,479</u>	7,185	9,081
Mobile Sources <sup>b</sup>	<u>26,590</u> <u>27,670</u>	<u>33,154</u> <u>34,501</u>	<u>92,415</u> <u>90,287</u>	<u>115,519</u> <u>112,859</u>
Solid Waste	625	625	2,060	2,060
Water	859	1,051	2,875	3,447
<b>Total</b>	<b>35,463</b> <b><u>36,544</u></b>	<b>43,061</b> <b><u>44,408</u></b>	<b>129,023</b> <b><u>126,895</u></b>	<b>156,290</b> <b><u>153,631</u></b>
AB-32 Reduction Target <sup>c</sup>	15.8%	-	15.8%	-
<b>Percentage Reduction</b>	<b>17.6%</b> <b><u>17.7%</u></b>	-	<b>17.4%</b>	-
<b>Conflicts with Reduction Target?</b>	<b>No</b>	-	<b>No</b>	-

<sup>a</sup> Electricity Usage Rates from CalEEMod default values for Southern California Edison.

<sup>b</sup> Mobile source values were derived using CalEEMod and incorporate reductions in vehicle miles traveled from project design features and mitigation measures.

<sup>c</sup> Based on the updated ARB BAU estimate of 507 MMTCO<sub>2</sub>e by 2020, which requires a reduction of 80 MMTCO<sub>2</sub>e, or a 15.8 percent reduction below the estimated BAU levels to return to 1990 levels (i.e., 427 MMTCO<sub>2</sub>e) by 2020.

Source: PCR Services Corporation, 2014

## Chapter 4.J – Land Use

### 1. Page 4.J-7. Modify the last paragraph on the page as follows:

Additionally, as discussed in Chapter 2, *Project Description*, of this Draft EIR, the City has requested that additional residential density be incorporated into the Westgate Specific Plan to allow for potential future development of high density residential uses (R-4) as a permitted use on up to 20.0 acres within Planning Area 24 in order to assist the City in meeting its regional housing allocation requirements. This scenario assumes that up to 20.0 acres of the office/light industrial uses in Planning Area 24 are replaced with R-4 residential uses up to a density of 50-39 dwelling units per acre, but with a target density of 37.5 dwelling units per acre, for a total of up to 1,000-750 additional residential units and 10.4 acres of Mixed Use business park. This potential additional residential development, therefore, would only affect the land use pattern within the Westgate Center village of the Specific Plan, and land uses within the remainder of the Planning Areas would remain as proposed.

**2. Page 4.J-13. Modify the last paragraph on the page under SANBAG Congestion Management Program as follows:**

As noted above, the San Bernardino County CMP defines a network of state highways and arterials, level of service standards and related procedures, and provides technical justification for its approaches. Key intersections include all CMP intersections plus others identified by local jurisdictions as being important to maintaining mobility on the CMP system. For the CMP, intersections operating at level of service (LOS) D or lower will normally be considered key intersections, in addition to the intersections of two CMP roadways. All projects that meet the threshold for the CMP are subject to preparation of CMP Traffic Impact Analyses per CMP Guidelines. However, since the City of Fontana has a standard program (Circulation Development Fees) to fund regional improvements, SANBAG considers the City exempt from CMP traffic impact analysis. As such, no CMP analysis is required for the project. Additionally, because mitigation measures would be implemented for future development that would reduce project-related impacts to traffic facilities (including identified CMP facilities) to less than significant, the proposed project would not conflict with the CMP and land use impacts in this regard would be less than significant (refer to Section 4.L, *Transportation/Traffic*, of this Draft EIR for a discussion of impacts and mitigation measures related to traffic). ~~It should be noted that the potential additional traffic generation associated with development of R-4 high density residential uses within Planning Area 24 could trigger significant traffic system impacts at various intersections in the project area, as further discussed in Section 4.L, *Transportation/Traffic*, of this Draft EIR, and thus intersection impacts under this development scenario are conservatively concluded to be significant and unavoidable. However, despite the potential for significant intersection traffic impacts, this does not necessarily translate to a significant land use impact with regard to consistency with the SANBAG CMP. This is due to the fact that, as discussed above, mitigation measures would still be implemented as needed to address intersection impacts and the City of Fontana has a standard program (Circulation Development Fees) to fund regional improvements, and as such SANBAG considers the City exempt from CMP traffic impact analysis. Therefore, given implementation of applicable traffic mitigation measures and participation in the City's Circulation Development Fee program, implementation of the additional residential development in Planning Area 24 would not result in conflicts with the SANBAG CMP and impacts in this regard would be less than significant.~~

**3. Page 4.J-15. Modify consistency statement text for Policy 1-5 in Table 4.J-3 as follows:**

**Consistent.** The portions of the project site currently designated as Regional Mixed Use would be incorporated into the proposed Specific Plan would be designated for Mixed Use and residential uses. Areas of the Specific Plan designated at Mixed Use can include a mix of retail, office, and light industrial uses, to be determined by market forces. In addition, Planning Area 24 (MU-1) would allow R-4 high density residential uses as a permitted use on up to 20.0 acres, which would allow for development of up to 1,000-750 additional residential units within this planning area.

## Chapter 4.L – Population, Housing, and Employment

### 1. Page 4.L-6. Revise the first paragraph under Project Design Features as follows:

The proposed project would develop new commercial retail, office, light industrial, residential, educational, and recreational uses on approximately 964 acres of land. Specifically, the proposed Specific Plan allows for the future on-site development of up to ~~6,410~~5,410 residential units, 138.7 acres of office uses, 11.5 acres of new commercial retail uses (excluding retail uses within the existing 39.4-acre Falcon Ridge Town Center), 94.0 acres of light industrial uses, and 84.0 acres of new public schools, including two elementary schools and one high school.

### 2. Page 4.L-7. Modify text in the last two paragraphs as follows:

The proposed project would generate a direct residential population total of up to ~~25,448~~21,478 residents (or ~~21,478~~18,500 residents if no residential uses are developed within Planning Area 24) and approximately 3,460 indirect residents generated by the influx of new employment opportunities.<sup>3</sup> This would generate a total of ~~28,908~~24,938 new residents to the project area.

The residential population increase to the City associated with the project is compared to the expected population increase for the years between 2008 and 2035 in the local, subregional, and regional areas. **Table 4.L-4, Proposed Project Population, Household, and Employment Impacts Between the Years of 2008 and 2035**, below, shows the project's population increase in relation to the three geographic areas. The maximum project-related direct and indirect increase of ~~28,908~~24,938 residents to the City would represent a total of ~~43.73~~37.73 percent, ~~3.94~~3.40 percent, and ~~0.69~~0.59 percent of the population growth projected by SCAG for the local, subregional, and regional areas, respectively, between the years of 2008 and 2035, as seen in Table 4.L-1.

### 3. Page 4.L-8. Modify Table 4.L-4 as follows:

See revised table below.

### 4. Page 4.L-8. Modify text in the second to last paragraph under Household Growth as follows:

The project would be able to develop a maximum of ~~6,410~~5,410 new residential dwelling units, all of which would represent a net increase to the area, as no housing currently exists on-site. As presented in Table 4.L-4, the project would represent ~~35.41~~29.90 percent, ~~2.66~~2.25 percent, and ~~0.42~~0.36 percent of the household growth projected by SCAG for the local, subregional, and regional areas between the years of 2008 and 2035, respectively. The proposed housing units are designated as detached single-family and attached and detached multi-family residential units, and as shown in Table 4.L-4, the addition of new housing units are well within the SCAG housing growth projections for the City of Fontana, San Bernardino County subregion, and the SCAG region. By creating new housing units within the project area, the proposed project would support applicable housing policies of SCAG's RTP/SCS and housing allocation goals of the RHNA, and would substantially help meet the housing demands of the growing population of the City.

Table 4.L-1

**Proposed Project Population, Household, and Employment Impacts  
Between the Years of 2008 and 2035**

	Project Percent of Growth <sup>b</sup>		Project Percent of Growth <sup>b</sup>		Project Percent of Growth <sup>b</sup>	
	Population <sup>a</sup>	(%)	Household <sup>a</sup>	(%)	Employment <sup>a</sup>	(%)
Net New from Proposed Project <sup>c</sup>	<u>28,908</u> <u>24,938</u>		<u>6,410</u> <u>5,410</u>		3,485	
<b>Local Area</b>		<b>43.73</b>		<b>35.41</b>		
Subregional Area	66,100	<u>37.73</u>	18,100	<u>29.90</u>	59,016	5.91
Regional Area	734,000	<u>3.94</u> <u>3.40</u>	241,000	<u>2.66</u> <u>2.25</u>	180,676	1.93
	4,196,000	<u>0.69</u> <u>0.59</u>	1,511,000	<u>0.42</u> <u>0.36</u>	4,490,246	0.08

<sup>a</sup> The local, subregional, and regional area numbers represent the 2008-2035 growth projections as provided in **Error! Reference source not found.** above.

<sup>b</sup> Percent difference calculated by dividing the project's net new growth by the 2008-2035 growth projections.

<sup>c</sup> Project-related growth is based on 16.80 employees per acre of office use, 12.60 employees per acre of retail use, 6.92 employees per acre of industrial use, 6.59 employees per acre of elementary school use, and 3.35 employees per acre of high school use per data presented in Table B-1 of the "Employment Density Study Summary Report", prepared for SCAG by The Natelson Company (October 2001). Project-related housing growth includes 1,000 750 residential units that could be developed on 20.0 acres within Planning Area 24, for a total of 6,410 5,410 total residential units. In order to present a conservative analysis, the employment and indirect population growth associated with the 20.0 acres of Mixed Use business park uses in Planning Area 24 that would be converted to high density residential uses under this scenario have also been included.

Source: PCR Services Corporation, 2014; SCAG, 2012; and The Natelson Company, 2001.

**5. Page 4.L-9. Modify text in the last paragraph as follows:**

As the project would not exceed forecasted housing projections, the project's net increase of residential units would make a contribution to the creation of needed housing stock, and would thus support SCAG policies and projections. Furthermore, the housing projections and needs identified in the RTP/SCS and the RHN, respectively, both identify considerable amounts of new housing that is needed in order to meet the growing population needs of the three demographic areas analyzed. The proposed project would add up to a maximum of 6,410 5,410 residential units to the general housing supply and would contribute to housing availability and opportunity in the area. According to the 2014-2021 RHN, the San Bernardino County subregion where the project is located is in need of a total of 57,207 dwelling units of which 13,399 would be very low income housing, 9,265 low income, 10,490 moderate income, and 24,053 above moderate income housing. Hence, the proposed project's overall contribution to the housing stock would be beneficial, and its development would not have adverse effects on the existing or future availability of housing for other sectors. As such, the project would be consistent with applicable SCAG policies regarding population, housing, and employment, and therefore, impacts would be less than significant.

**6. Page 4.L-10. Modify text in the second paragraph under Cumulative Impacts as follows:**

As shown in Table 4.L-6, the cumulative population, housing, and employment projections total ~~53,002~~49,032 residents, ~~13,350~~12,350 housing units, and 4,744 employees, respectively. Relative to SCAG growth projections at the local, subregional, and regional levels for the 2008 to 2035 timeframe, this represents ~~80.19~~74.17, ~~7.22~~6.68, and ~~1.26~~1.17 percent of overall population growth; ~~73.76~~68.23, ~~5.54~~5.13, and ~~0.88~~0.82 percent of overall housing growth; and 8.04, 2.63, and 0.11 percent of overall employment growth, respectively. As such, since cumulative growth associated with the proposed project and related cumulative development is within the City is within SCAG's 2008-2035 growth projections, impacts related to population, housing, and employment would be less than significant.

**7. Page 4.L-11. Modify text in consistency statement for Goal #4 in Table 4.L-5 as follows:**

**Consistent.** The proposed project would allow for the future development of up to ~~6,410~~5,410 residential units on the project site.

**8. Page 4.L-12. Modify Table 4.L-6 as follows:**

See revised table below.

**Table 4.L-6**

**Cumulative Population, Housing, and Employment Generation**

<b>Related Project</b>	<b>Residential (units)</b>	<b>Office (acres)</b>	<b>Retail (acres)</b>	<b>Industrial (acres)</b>	<b>Elementary School (acres)</b>	<b>High School (acres)</b>
Arboretum Specific Plan	3,526	-	8.8	-	46.0	-
Ventana Specific Plan	842	8.3	4.9	-	-	-
Summit at Rosena Specific Plan	856	-	1.0	-	12.0	-
Citrus Heights North Specific Plan	530 <sup>a</sup>	-	-	-	-	-
<i>Subtotal Related Projects</i>	<i>5,754</i>	<i>8.3</i>	<i>14.7</i>	<i>0.0</i>	<i>58.0</i>	<i>0.0</i>
<b>Proposed Project</b>	<b><u>6,410</u></b>	<b><u>138.7</u></b>	<b><u>55.3</u></b>	<b><u>94.0</u></b>	<b><u>24.0</u></b>	<b><u>60.0</u></b>
	<b><u>5,410</u></b>					
<b>TOTAL</b>	<b><u>12,164</u></b>	<b><u>147.0</u></b>	<b><u>70.0</u></b>	<b><u>94.0</u></b>	<b><u>82.0</u></b>	<b><u>60.0</u></b>
	<b><u>11,164</u></b>					
<b>Cumulative Growth Estimate</b>						<b>Total</b>
Population (residents)	<u>48,291</u>					<u>53,002</u>
	<u>44,321</u>	2,451	877	647	536	200
Housing (units)	<u>12,164</u>					<u>13,350</u>
	<u>11,164</u>	617	221	163	135	50
Employment (employees)	-	2,470	882	651	540	201
						<u>4,744</u>

<sup>a</sup> The Citrus Heights North Specific Plan was approved for a total of 1,154 residential units (606 single-family and 548 multi-family); however, approximately 350 single-family units have been constructed and approximately half of the multi-family units are completed, resulting in 530 units yet to be constructed.

Source: PCR Services Corporation, 2012

## Chapter 4.M – Public Services

### 1. Page 4.M-3. Revise Footnote 3 as follows:

Fontana Police Department. “2011 Annual Report.” Released 2012.  
[www.fontana.org/DocumentView.aspx?DID=2277](http://www.fontana.org/DocumentView.aspx?DID=2277)

### 2. Page 4.M-14. Revise text in the table below subheading b, Fire Flow, as follows:

Land Use Designation	Description	Fire Flow Demand (Gallons per Minute [GPM])
R - 1 (0-5 du/ac)	Single Family Detached	1,500 GPM
R - 2 (5-12 du/ac)	Single Family Detached	1,500 GPM
R - 3a (12-18 du/ac)	Condominiums	2,500 GPM
R - 3b (18-24 du/ac)	Condominiums	2,500 GPM
R - 4 (24- <del>50</del> <sup>39</sup> du/ac)	Apartments	2,500 GPM
C	Commercial Retail	4,000 GPM
MU-1	Mixed Use-1	4,000 GPM
MU-2	Mixed Use-2	4,000 GPM
MU-3	Mixed Use-3	4,000 GPM
OS / P1	Open Space / Public Parks	N/A
OS / P2	Open Space / Private Parks	N/A
OS / L	Open Space / Landscape	N/A
OS / UC	Open Space / Utility Corridor	N/A
OS/DC	Open Space / Drainage Corridor	N/A
ES	Elementary School	4,000 GPM
HS	High School	4,000 GPM

Source: Hall & Foreman, Inc. “Westgate Specific Plan Infrastructure Study.” January 2011 (refer to Appendix L of this Draft EIR)

## Chapter 4.N – Transportation/Traffic

### 1. Page 4.N-16. Revise text in Impact Statement 4.N-1 as follows:

*Impact 4.N-1 Implementation of the proposed project under Existing Plus Project, Phase 1 (Year 2018), and Buildout (Year 2035) conditions would not 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. With implementation of applicable mitigation measures and/or payment of fair-share contributions to necessary traffic system improvements, this impact is considered less than significant unless high density residential uses are developed within Planning Area 24, in which case impacts under Buildout conditions would be considered significant and unavoidable even with mitigation.*

**2. Page 4.N-18. Delete heading and paragraph under High Density Residential Trip Generation as follows:**

***(ii) High Density Residential Trip Generation***

The projected trip generation comparison calculations for Planning Area 24 are located in Table 2 of the Trip Generation Comparison Analysis (included in Appendix J of this Draft EIR). The previous Mixed Use 1 designation in Planning Area 24 when compared to the R-4 high density residential designation is projected to generate a total of approximately 4,302 more daily vehicle trips, 46 less of which would occur during the morning peak hour and 219 more of which would occur during the evening peak hour.

**3. Page 4.N-20. Modify text in the second to last paragraph as follows:**

Existing Plus Project Phase 1 (with improvements) delay calculation worksheets are provided in Appendix D of the project's TIA. As shown in Table 9 of the project's TIA, the study area intersections are projected to operate within acceptable Levels of Service during the peak hours for Existing Plus Project traffic conditions and the project does not cause any significant impacts, with implementation of improvements included as mitigation below. ~~It should be noted that development within Planning Area 24 would not occur as part of Phase 1 development, and as such impacts associated with development of high density residential uses within this Planning Area would be the same as under the proposed Specific Plan and thus impacts would be less than significant with mitigation.~~

**4. Page 4.N-22. Modify the first full paragraph as follows:**

The Existing Plus Project Buildout delay and Level of Service for the study area roadway network with improvements are shown in Table 11 of the project's TIA. Improvements presented in Table 11 include both funded improvements and any additional improvements needed to achieve acceptable Levels of Service during the peak hours. Existing Plus Project Buildout (with improvements) delay calculation worksheets are provided in Appendix D of the project's TIA. As shown in Table 11, the study area intersections are projected to operate within acceptable Levels of Service during the peak hours for Existing Plus Project Buildout traffic conditions and the project does not cause any significant impacts, with implementation of improvements included as mitigation below, ~~assuming no high density residential uses are developed in Planning Area 24. However, due to the increased overall traffic generation associated with potential high density residential uses within Planning Area 24 (i.e., 4,302 additional daily vehicle trips, 46 less of which would occur during the morning peak hour and 219 more of which would occur during the evening peak hour), significant impacts to affected intersections could occur even with implementation of applicable mitigation measures. As such, intersection impacts under Existing Plus Project Buildout conditions are considered significant and unavoidable.~~

**5. Page 4.N-25. Modify the first full paragraph as follows:**

The Year 2018 With Project Phase 1 delay and Level of Service for the study area roadway network with improvements are shown in Table 16 of the project's TIA. Improvements presented in Table 16 include both funded improvements and any additional improvements needed to achieve acceptable Levels of Service during the peak hours. Year 2018 With Project Phase 1 (with improvements) delay

calculation worksheets are provided in Appendix D of the TIA. As shown in Table 16, the study area intersections are projected to operate within acceptable Levels of Service during the peak hours for Year 2018 With Project Phase 1 traffic conditions and the project does not cause any significant impacts, with improvements. ~~It should be noted that development within Planning Area 24 would not occur as part of Phase 1 development, and as such impacts associated with development of high density residential uses within this Planning Area under Year 2018 With Project Phase 1 conditions would be the same as under the proposed Specific Plan, and thus impacts would be less than significant with mitigation.~~

**6. Page 4.N-28. Modify the first full paragraph as follows:**

The Year 2035 With Project Buildout delay and Level of Service for the study area roadway network with improvements are shown in Table 19 of the project's TIA. Improvements presented in Table 19 include both funded improvements and any additional improvements needed to achieve acceptable Levels of Service during the peak hours. Year 2035 With Project Buildout (with improvements) delay calculation worksheets are provided in Appendix D of the project's TIA. As shown in Table 19, the study area intersections are projected to operate within acceptable Levels of Service during the peak hours for Year 2035 With Project Buildout traffic conditions and the project does not cause any significant impacts, with implementation of improvements included as mitigation below, ~~assuming no high density residential uses are developed in Planning Area 24. However, due to the increased overall traffic generation associated with potential high density residential uses within Planning Area 24 (i.e., 4,302 additional daily vehicle trips, 46 less of which would occur during the morning peak hour and 219 more of which would occur during the evening peak hour), significant impacts to affected intersections could occur even with implementation of applicable mitigation measures. As such, intersection impacts under Year 2035 With Project Buildout conditions are considered significant and unavoidable.~~

**7. Page 4.N-44. Add the following footnote to Table 4.N-3 for the intersections of Cherry Avenue at Arrow Boulevard, Cherry Avenue at San Bernardino Avenue, and Cherry Avenue at Valley Boulevard:**

\* These intersections are located within the jurisdiction of the County of San Bernardino; as such, any fair-share mitigation fees shall be paid to the County of San Bernardino Department of Public Works.

**8. Page 4.N-28. Modify the last paragraph as follows:**

The Year 2035 With Project Buildout As discussed previously, several thoroughfares including Baseline Avenue, Highland Avenue, Cherry Avenue, Citrus Avenue, and the I-15 and SR-210 freeways (and associated on- and off-ramps), are located within or at the border of the project site, and are CMP roadways. However, since the City of Fontana has a standard program (Circulation Development Fees) to fund regional improvements, SANBAG considers the City exempt from CMP traffic impact analysis. Nonetheless, as indicated above, all project-related impacts to study area intersections and roadway segments, including these CMP facilities, would be reduced to less than significant with implementation of applicable mitigation measures provided below, ~~assuming no high density residential uses are developed within Planning Area 24. However, In addition, future development of high density residential uses within Planning Area 24, if it were to occur, would be~~

required to contribute funds to the City as part of the Circulation Development Fee program, which would be applied to necessary regional improvements, and thus no development-specific CMP traffic analysis is required by SANBAG. Therefore, CMP-related traffic impacts would be less than significant.

**9. Page 4.N-48. Modify text in the last two paragraphs under Level of Significance After Mitigation as follows:**

With implementation of applicable mitigation measures provided above, ~~and assuming no residential development within Planning Area 24~~, the proposed project would result in less than significant traffic- and parking-related impacts. ~~However, given the substantial increase in traffic generation associated with the provision of additional high density residential uses within Planning Area 24, significant impacts to local intersections could occur even with implementation of applicable mitigation measures. As such, despite incorporation of all feasible mitigation, impacts to intersections would be considered significant and unavoidable.~~

~~Therefore, if the City of Fontana approves the project, the City shall be required to cite their findings in accordance with Section 15091 of the CEQA Guidelines and prepare a Statement of Overriding Considerations in accordance with Section 15093 of the CEQA Guidelines.~~

## **Chapter 4.O.1 – Water Supply**

**1. Page 4.O.1-5. Revise the last paragraph as follows:**

Under the December 22, 1961 Rialto Basin Court Decree, FWC, by virtue of its shareholdings in Fontana Union, is entitled to produce water from the Rialto Basin with no extraction limit in most years. Parties to the Rialto Basin Decree, including FWC, are authorized to pump from the Rialto Basin without restriction, except pumping during certain months (~~between March and May~~) in some water years (October 1 to September 30) can be affected by measurements of when pumping may be limited based on groundwater elevations between March and May for three specific “index” wells (Duncan Well, Willow Street Well, and Boyd Well).

**2. Page 4.O.1-10. Revise the last paragraph as follows:**

Under the December 22, 1961 Rialto Basin Court Decree, FWC, by virtue of its shareholdings in Fontana Union, is entitled to produce water from the Rialto Basin with no extraction limit in most years. Parties to the Rialto Basin Decree, including FWC, are authorized to pump from the Rialto Basin without restriction, except pumping during certain months (~~between March and May~~) in some water years (October 1 to September 30) can be affected by measurements of when pumping may be limited based on groundwater elevations between March and May for three specific “index” wells (Duncan Well, Willow Street Well, and Boyd Well).

**3. Page 4.O.1-31. Revise the last paragraph as follows:**

As summarized in Tables 4.0.1-8, 4.0.1-9, and 4.0.1-10, water supplies available to FWC will be sufficient to meet all present and future water supply requirements of the Westgate Specific Plan for

the next twenty years and through 2035, including during single and multiple dry years. ~~As discussed previously, Planning Area 24 could be developed with as many as 20.0 acres of R-4 high density residential uses with a density up to 50 dwelling units per acre, thus replacing MU-1 mixed use land use designation in that portion of the Planning Area. This would result in the development of an additional 1,000 residential units, and removal of 20.0 acres of Mixed Use 1 business park uses, which would occur entirely within the FWC service area.~~

**4. Page 4.O.1-33. Delete the last paragraph as follows:**

~~The net additional water demand, based on FWC water demand factors, totals approximately 0.31 mgd or 344 AFY, which was not accounted for in the WSA prepared by FWC for the proposed Specific Plan.<sup>3</sup> While this additional residential development in Planning Area 24 is not considered likely to occur, it is being evaluated in this Draft EIR to represent a worst case scenario in which maximum water demands associated with potential development are assumed. As such, actual water demands under this scenario would likely be less than 344 AFY. Nonetheless, as this additional demand was not accounted for in the FWC WSA for the proposed Specific Plan, should the City pursue implementation of R-4 residential uses within Planning Area 24, such development proposals would be required to prepare a separate WSA to ensure that adequate water supplies are available to serve proposed uses. Furthermore, as discussed below under Cumulative Impacts, the total cumulative demand of the proposed Specific Plan and related projects within the CVWD and FWC service areas, even with the addition of R-4 residential uses within Planning Area 24, would fall within the projected available water supplies for year 2035 (project buildout). As such, water supply impacts with inclusion of Planning Area 24 residential uses are considered less than significant.~~

**5. Page 4.O.1-33. Delete footnote 16 as follows:**

~~Additional water demand associated with the High Density Residential Option is calculated by multiplying the additional 1,000 residential units by 307 gpd (2,690 x 307 gpd = 307,000 gpd) multiplied by 365 days per year and divided by 325,851 gallons per acre-foot, or (307,000 gpd x 365) / (325,851 g/AF) = 343.88 AFY.~~

**6. Page 4.O.1-39. Modify text in the second to last paragraph as follows:**

Chapter 3, *Basis for Cumulative Analysis*, of this Draft EIR identifies four related projects all located in the City of Fontana that are anticipated to be developed within the vicinity of the project site. None of these projects are located within the service area of CVWD, and only a portion of two of the projects is within the FWC service area. Nonetheless, these four related projects would cumulatively contribute, in conjunction with the proposed project, to water demand in the project area. As shown in **Table 4.O.1-18, Estimated Cumulative Water Demand**, related projects in conjunction with the proposed Westgate Specific Plan would have an average daily water demand of approximately 4.94 ~~4.64~~ mgd or 5,534 ~~5,198~~ AF per year, ~~which includes the additional demand associated with potential development of R-4 residential uses within Planning Area 24.~~ As stated above, the FWC and CVWD's 2010 UWMPs project that total yearly water demand will increase from 101,319 AF in 2015 to 116,841 AF in 2035, which is an increase of 15,522 AF or 15.3 percent over that 20-year period. With the anticipated water demand increase of 5,534 AF per year from the development of the

proposed project and related projects, the demand for water would fall within the available and projected water demand presented in the FWC and CVWD 2010 UWMPs.

#### 7. Page 4.O.1-40. Modify Table 4.O.1-18 as follows:

See revised table below.

Table 4.O.1-18

Estimated Cumulative Water Demand						
Related Project	Residential (units)	Office (acres)	Retail (acres)	Industrial (acres)	School (acres)	Park (acres)
Arboretum Specific Plan	3,526	-	8.8	-	46.0	31.0
Ventana Specific Plan	842	8.3	4.9	-	-	-
Summit at Rosena Specific Plan	856	-	1.0	-	12.0	22.0
Citrus Heights North Specific Plan	530 <sup>a</sup>	-	-	-	-	9.0
Subtotal Related Projects	5,754	8.3	14.7	0.0	58.0	62.0
<b>Proposed Project <sup>c</sup></b>	<b>6,410</b>	<b>120.7</b>	<b>55.3</b>	<b>92.0</b>	<b>84.0</b>	<b>57.0</b>
	<u>5,410</u>					
<b>TOTAL</b>	<b>12,164</b>	<b>129.0</b>	<b>70.0</b>	<b>92.0</b>	<b>142.0</b>	<b>119.0</b>
	<u>11,164</u>					
Cumulative Water Demand Estimate <sup>b</sup>						Total
Total Water Demand (mgd)	3.73					4.94
	<u>3.43</u>	0.43	0.23	0.30	0.22	0.03
						<u>4.64</u>

Notes: mgd = million gallons per day

<sup>a</sup> The Citrus Heights North Specific Plan was approved for a total of 1,154 residential units (606 single-family and 548 multi-family); however, approximately 350 single-family units have been constructed and approximately half of the multi-family units are completed, resulting in 530 units yet to be constructed.

<sup>b</sup> Water demand factors are based on City of Fontana 2000 Sewer Master Plan generation rates, plus 10% to account for outdoor water use, as presented in the "Westgate Specific Plan Infrastructure Study" provided as Appendix L to this Draft EIR. Rates applied include 307 gallons per day (gpd) per residential dwelling unit, 3,300 gallons per day per acre of retail, office, and industrial uses, 2,640 gpd per acre of schools, and 220 gpd per acre of parks.

<sup>c</sup> Maximum residential units would total 6,410-5,410 units if R-4 residential uses are developed in Planning Area 24, and thus office uses would total 120.7 acres, and industrial uses would total 92.0 acres; all other totals would remain as proposed in the Specific Plan.

Source: PCR Services Corporation, 2014 and Hall & Foreman, Inc., 2011.

## Chapter 4.O.2 – Wastewater

#### 1. Page 4.O.2-6. Revise Sustainability Feature SF-3 as follows:

The IEUA is in the process of building a regional recycled water system to serve the Westgate Specific Plan and other areas in Fontana. The Westgate Specific Plan infrastructure plans require that a reclaimed water "purple pipe" system be installed in medians for all major streets, parkways and public parks. It will be connected to the IEUA recycled water system upon its completion. The IEUA system would utilize recycled water provided by the Cucamonga Valley Water District and Fontana Water Company. The Fontana Water Company will provide, when it is available, recycled water to customers in its service area who are able to use recycled area. Implementation of water-efficient

features and use of recycled water would serve to reduce water consumption and associated wastewater generation within the project area.

**2. Page 4.O.2-10. Revise text under subheading (a) Wastewater Generation and Infrastructure as follows:**

As calculated in the *Westgate Specific Plan Infrastructure Study*, based on wastewater generation factors provided by the City's *2000 Sewer Master Plan*, the proposed project is estimated to generate 2,537,174 gpd (2.54 mgd) of wastewater on an average day and 7,994,953 gpd (8.00 mgd) of wastewater on a peak day. ~~However, should high density residential uses be developed on up to 20.0 acres in Planning Area 24, this total would incrementally increase by 0.14 mgd on an average day or 0.45 mgd on a peak day, for a total of 2.68 mgd and 8.45 mgd, respectively.~~ It should be noted that this estimate is considered conservative as it is anticipated that the project's water conservation features would further reduce the wastewater generation. As indicated above and shown in Figure 4.0.2-1, the project's wastewater would be conveyed via a new and existing sewer lines under City streets, draining generally from north to south and east to west, to RP-4 for treatment (or bypassed to downstream facilities as necessary). Based on the project's *Infrastructure Study*, it was determined that wastewater conveyance capacity of existing and future sewer pipelines shown in Figure 4.0.2-1 would be sufficiently sized to accommodate sewer flows from the full buildout of the proposed project. As future development within the Specific Plan update area occurs, each developer would be required to pay standard IEUA sewer connection fees, which are utilized to fund wastewater treatment and regional wastewater conveyance improvements associated with new development. Additionally, as future development occurs, each site-specific project would be reviewed to ensure that adequate wastewater conveyance facilities exist to serve each development site. Such review would address site-specific changes in wastewater generation associated with each individual development project in order to identify the necessary wastewater infrastructure improvements for each Planning Area. As such, impacts in this regard would be less than significant upon implementation of recommended mitigation measures.

While no specific development is proposed at this time, and it is not possible to determine accurately future wastewater generation by new development in the Specific Plan area, the amount of excess capacity in the existing treatment facilities serving the City make it unlikely that the proposed project would trigger the need for new or expanded regional wastewater treatment facilities and/or exceed IEUA capacity. However, for the purposes of this analysis, it is estimated that the current available capacity at IEUA's RP-4 facility is 7 mgd (total capacity of 14 mgd minus average daily flows of 7 mgd). Based on a 7-mgd capacity surplus, the project's average daily flows of ~~2.68-2.54~~ mgd at project buildout would represent ~~38.3-36.3%~~ of the remaining capacity, or ~~19.4-18.1%~~ of the total treatment capacity of RP-4. However, while available capacity exists to meet projected future demands, it should be noted that RP-4 would be further expanded as necessary to meet anticipated growth in the area, to its ultimate planned capacity of 28 mgd. Although the timing of the ultimate expansion of RP-4 is not currently known, any project-related wastewater flows that exceed the treatment capacity of RP-4 would be bypassed to other downstream treatment facilities. However, if RP-4 were to be fully expanded by the time the Westgate Specific Plan is built out, the project-related wastewater flows would represent ~~9.6-9.1%~~ of the treatment plant's total capacity. Nonetheless, given that adequate treatment capacity currently exists within the IEUA treatment system to meet project-related demands at project buildout, impacts related to wastewater treatment capacity would be less than significant.

**3. Page 4.O.2-13. Revise text in the first paragraph under Cumulative Impacts as follows:**

Chapter 3.0, Basis for Cumulative Analysis, of this Draft EIR identifies four related projects, all of which are located in the City of Fontana and also within the IEUA service area. Because wastewater generated within all of these project areas ultimately ends up at RP-4, all four related projects were included in this cumulative analysis. These four related projects would cumulatively contribute, in conjunction with the proposed project, to the wastewater generation in the project area. As shown in **Table 4.O.2-2, Cumulative Wastewater Generation**, the estimated wastewater generation associated with related projects and the proposed project on average is approximately ~~4.61~~~~4.33~~ mgd, with a peak day flow of approximately ~~14.74~~~~13.85~~ mgd.

**4. Page 4.O.2-14. Revise Table 4.O.2- as follows:**

See revised table below.

**Table 4.O.2-2**

**Cumulative Wastewater Generation**

<b>Related Project</b>	<b>Residential (units)</b>	<b>Office (acres)</b>	<b>Retail (acres)</b>	<b>Industrial (acres)</b>	<b>School (acres)</b>	<b>Park (acres)</b>
Arboretum Specific Plan	3,526	-	8.8	-	46.0	31.0
Ventana Specific Plan	842	8.3	4.9	-	-	-
Summit at Rosena Specific Plan	856	-	1.0	-	12.0	22.0
Citrus Heights North Specific Plan	530 <sup>a</sup>	-	-	-	-	9.0
<i>Subtotal Related Projects</i>	<i>5,754</i>	<i>8.3</i>	<i>14.7</i>	<i>0.0</i>	<i>58.0</i>	<i>62.0</i>
<b>Proposed Project<sup>b</sup></b>	<b><u>6,410</u></b>	<b><u>120.7</u></b>	<b><u>55.3</u></b>	<b><u>92.0</u></b>	<b><u>84.0</u></b>	<b><u>57.0</u></b>
<b>TOTAL<sup>c</sup></b>	<b><u>12,164</u></b>	<b><u>129.0</u></b>	<b><u>70.0</u></b>	<b><u>92.0</u></b>	<b><u>142.0</u></b>	<b><u>119.0</u></b>
			<b><u>11,164</u></b>			
<b>Cumulative Wastewater Generation Estimate<sup>d,e</sup></b>						<b>Total</b>
Average Day (mgd)	<u>3.394</u>					<u>4.607</u>
	<u>3.115</u>	0.362	0.210	0.276	0.341	0.024
Peak Day (mgd)	<u>10.861</u>					<u>14.742</u>
	<u>9.967</u>	1.158	0.672	0.883	1.091	0.077
						<u><b>13.850</b></u>

<sup>a</sup> The Citrus Heights North Specific Plan was approved for a total of 1,154 residential units (606 single-family and 548 multi-family); however, as of Spring 2012, approximately 350 single-family units have been constructed and approximately half of the multi-family units are completed, resulting in 530 units yet to be constructed.

<sup>b</sup> When conservatively assuming development of up to 20.0 acres of R-4 residential uses in Planning Area 24, proposed residential units would total ~~6,410~~~~5,410~~ units, office uses would total 120.7 acres, and industrial uses would total 92.0 acres; all other totals would remain as proposed in the Specific Plan.

<sup>c</sup> Total cumulative residential units would be 12,164 units, total office acreage would be 129.0 acres, and total industrial acreage would be 92.0 acres. All other totals would remain as proposed in the Specific Plan.

<sup>d</sup> Wastewater Generation Based on City of Fontana 2000 Sewer Master Plan generation rates, as presented in the "Westgate Specific Plan Infrastructure Study" provided as Appendix L to this Draft EIR. Rates applied include 279 gallons per day (gpd) per residential dwelling unit, 3,000 gallons per day per acre of retail, office, and industrial uses, 2,400 gpd per acre of schools, and 200 gpd per acre of parks. For the purposes of a conservative analysis, peak day flows are assumed to be 3.2 times average flows.

Source: PCR Services Corporation, 2014

## Chapter 4.O.3 – Solid Waste

### 1. Page 4.O.3-1. Revise Footnote 3 as follows:

Fontana Police Department. “2011 Annual Report.” Released 2012.  
[www.fontana.org/DocumentView.aspx?DID=2277](http://www.fontana.org/DocumentView.aspx?DID=2277)

### 2. Page 4.O.3-7. Revise the last paragraph on the page as follows:

The majority of the project site is currently undeveloped vacant land, while the remainder of the site is developed with commercial, office, and institutional uses. As illustrated in **Table 4.O.3-1, Existing and Proposed Solid Waste Generation for the Proposed Project**, development of the proposed project would result in a net increase of 47,467 43,467 pounds per day (or approximately 23.73 21.73 tpd) of solid waste or a total of approximately 8,662 7,932 tons per year. The project's daily solid waste generation represents approximately 0.32 0.29-percent of the maximum permitted daily capacity ([23.73 21.73 tons / 7,500 tons] x 100 = 0.316 0.290-percent) or 1.17 1.07-percent of the average daily tonnage ([22.76 21.73 tons / 2,026 tons] x 100 = 1.171 1.072-percent) for the Mid-Valley Landfill, which would accept solid waste from the project site.<sup>2,3</sup> It is important to note that this analysis is very conservative in that it does not take into account diversion rates currently achieved by the City of Fontana as a whole. Waste diversion for the proposed project is anticipated to be consistent with other similar development within the City and divert a minimum of 50 percent of trash from landfills based on compliance to standard City practices and regulations described above. Based on this percentage, the proposed project is estimated to generate approximately 23,734 21,734 pounds per day (11.87 10.87 tpd) or 4,333 3,966 tons per year of solid waste. This amount of solid waste is well within the permitted capacity of 7,500 tpd for the the Mid-Valley Landfill, which is projected to accept this maximum daily volume of waste through the year 2033.

### 3. Page 4.O.3-8. Revise Table 4.O.3-1 as follows:

See revised table below.

### 4. Page 4.O.3-10. Revise the second and third paragraphs under Cumulative Impacts as follows:

The estimated solid waste generation resulting from operation of related projects is shown in **Table 4.O.3-3, Cumulative Solid Waste Generation**. As indicated therein, the solid waste generation for the proposed project and related projects is forecasted to be approximately 76,320 72,320 pounds per day (38.2 36.2 tpd) or approximately 13,932 13,213 tons per year. However, this estimate of solid waste generation from the proposed project and related projects does not take into account solid waste reduction measures that would be implemented and does not discount solid waste generation from existing uses that would be removed as part of related projects.

The 76,320 72,320 pounds per day (or 38.2 36.2 tpd) of cumulative solid waste generated per day would represent approximately 0.51 0.48-percent of the estimated daily capacity ([38.2 36.2 tons / 7,500 tons] x 100 = 0.509 0.482-percent) or 1.89 1.79-percent of the average daily tonnage ([38.2 36.2 tons / 2,026 tons] x 100 = 1.886 1.787-percent) of the Mid-Valley Landfill, which would have adequate capacity to accommodate solid waste from the project site and related project sites. Furthermore, similar to the proposed project, the related projects would be subject to the source

**Table 4.O.3-1****Existing and Proposed Solid Waste Generation for the Proposed Project**

Land Use	Size	Generation Rate <sup>a</sup>	Total (lbs/day)	Total (tons/day)
<b>Existing</b>				
Retail	446,000 s.f.	5 lbs/k.s.f./day	2,230	1.12
Office	144,000 s.f.	6 lbs/k.s.f./day	864	0.43
		<b>Total</b>	<b>3,094</b>	<b>1.55</b>
<b>Proposed</b>				
Residential	<del>6,410</del> <u>5,410</u> units <sup>b</sup>	4 lbs/unit/day	<del>25,640</del> <u>21,640</u>	<del>12.82</del> <u>10.82</u>
Office	2,103,771 s.f. <sup>c</sup>	6 lbs/k.s.f./day	12,623	6.31
Retail	602,235 s.f.	5 lbs/k.s.f./day	3,011	1.51
Light Industrial	1,602,373 s.f. <sup>e</sup>	5 lbs/k.s.f./day	8,012	4.01
School	359 employees <sup>f</sup>	3.55 lbs/emp/day	1,275	0.64
		<b>Total</b>	<b>50,561</b>	<b>25.28</b>
			<b>46,561</b>	<b>23.28</b>
			<b>47,467</b>	<b>23.73</b>
<b>Difference between Existing and Proposed (Net Increase)</b>			<b>43,467</b>	<b>21.73</b>

Notes: s.f. = square feet      k.s.f. = thousand square feet      lbs = pounds      emp = employees

<sup>a</sup> Generation factors provided by the CalRecycle website, refer to Estimated Solid Waste Generation Rates. <http://www.calrecycle.ca.gov/WasteChar/WasteGenRates/default.htm>. Accessed September 2012.

<sup>b</sup> When assuming development of R-4 residential uses in Planning Area 24, total residential uses would total ~~6,410~~  
5,410 dwelling units.

<sup>c</sup> Office uses include office space component of Mixed-Use development as well as existing Caltrans facility that would remain on-site. If R-4 residential uses are developed in Planning Area 24, office uses would be reduced by 313,632 square feet to a new total of 2,103,771 square feet due to conversion of Planning Area 24 from MU-1 business park to R-4 residential uses.

<sup>d</sup> Retail total includes retail component of Mixed-Use development and existing Falcon Ridge Town Center that would remain on-site.

<sup>e</sup> If R-4 residential uses are developed in Planning Area 24, industrial uses would be reduced by 34,848 square feet to a new total of 1,602,373 square feet due to conversion of 20.0 acres in Planning Area 24 to R-4 residential uses.

<sup>f</sup> Proposed school employment based on factors presented in Section 4.K, Population and Housing, of this Draft EIR.

Source: PCR Services Corporation, 2014.

reduction and recycling requirements established by the local jurisdiction in accordance with AB 939 (i.e., divert 50 percent of the solid waste generated from landfills through waste reduction, recycling, and composting). As with the proposed project, future projects would also be required to participate in recycling programs, thus reducing the amount of solid waste to be disposed of at the landfills described above. Based on these considerations, cumulative impacts regarding solid waste would be less than significant, and the project's contribution to such impacts would not be cumulatively considerable. Nonetheless, implementation of applicable mitigation measures would provide additional assurance that the project's incremental contribution to cumulative solid waste impacts on a regional level remains less than significant.

##### 5. Page 4.O.3-11. Revise Table 4.O.3-3 as follows:

See revised table below.

Table 4.O.3-3

Related Project	Cumulative Solid Waste Generation				
	Residential (units)	Office (acres)	Retail (acres)	Industrial (acres)	School (acres)
Arboretum Specific Plan	3,526	-	8.8	-	46.0
Ventana Specific Plan	842	8.3	4.9	-	-
Summit at Rosena Specific Plan	856	-	1.0	-	12.0
Citrus Heights North Specific Plan	530 <sup>a</sup>	-	-	-	-
<i>Subtotal Related Projects</i>	5,754	8.3	14.7	0.0	58.0
<i>Proposed Project<sup>b</sup></i>	<b>6,410</b>	<b>120.7</b>	<b>55.3</b>	<b>92.0</b>	<b>84.0</b>
	<u>5,410</u>				
<b>TOTAL<sup>c</sup></b>	<b>12,164</b>	<b>129.0</b>	<b>70.0</b>	<b>92.0</b>	<b>142.0</b>
	<u>11,164</u>				
					<b>Total</b>
Cumulative Solid Waste Generation Estimate <sup>d,e</sup>					
<b>Total (lbs/day)</b>	48,656				<b>76,320</b>
	<u>44,656</u>	13,486	3,812	8,015	<u>72,320</u>
<b>Total (tpd)</b>	<b>24.33</b>				<b>38.17</b>
	<u>22.33</u>	6.74	1.91	4.01	<u>1.18</u>
					<u><b>36.17</b></u>

Notes: tpd = tons per day

<sup>a</sup> The Citrus Heights North Specific Plan was approved for a total of 1,154 residential units (606 single-family and 548 multi-family); however, as of Spring 2012, approximately 350 single-family units have been constructed and approximately half of the multi-family units are completed, resulting in 530 units yet to be constructed.

<sup>b</sup> When assuming development of R-4 residential uses in Planning Area 24, proposed residential units would total 6,410 units, office uses would total 120.7 acres, and industrial uses would total 92.0 acres; all other totals would remain as proposed in the Specific Plan.

<sup>c</sup> Assuming development of R-4 residential uses in Planning Area 24, total cumulative residential units would be 12,164 units, total office acreage would be 129.0 acres, and total industrial acreage would be 92.0 acres. All other totals would remain as proposed in the Specific Plan.

<sup>d</sup> Solid Waste Generation Based on generation factors provided by the CalRecycle website, refer to Estimated Solid Waste Generation Rates. <http://www.calrecycle.ca.gov/WasteChar/WasteGenRates/default.htm>. Accessed September 2012, and assumes 4 lbs/unit/day for residential uses, 6 lbs/k.s.f./day for office uses, 5 lbs/k.s.f./day for retail uses, 5 lbs/k.s.f./day for light industrial uses, and 3.55 lbs/emp/day for school uses. Similar to the Westgate Specific Plan, an FAR or 0.4 for office uses, 0.25 for retail uses, and 0.4 for industrial uses is assumed.

<sup>e</sup> School employment is based on 6.59 employees per acre of elementary school use and 3.35 employees per acre of high school use per data presented in Table B-1 of the "Employment Density Study Summary Report", prepared for SCAG by The Natelson Company (October 2001). Total cumulative school employment is estimated to be 662 employees based on these factors.

Source: CalRecycle, 2012, and PCR Services Corporation, 2014

## Chapter 5 – Alternatives

### 1. Page 5-1. Revised text in the last paragraph as follows:

The first alternative selected for analysis is a No Project/No Build Alternative, pursuant to Section 15126.6(e) of the *CEQA Guidelines*. Two additional alternatives were selected to directly address the project's significant and avoidable impacts, which are permanent loss of agricultural resources, short- and long-term air quality and noise impacts that would occur due to future project

construction and operation, and impacts to on-site historical resources, ~~and operational impacts to intersection levels of service~~. The two alternatives selected would both reduce the extent and duration of construction activity, and operational traffic volumes (and associated noise and air pollutant emissions) by developing a project that would be reduced in size and intensity, and one of them would also avoid development in areas where known historical resources exist (including the vineyards, water tank, water system, and farmstead site CA-SBR-7324H).

**2. Page 5-10. Revise text in the first row under N. Transportation/Traffic as follows:**

Traffic System Level of Service	<u>Significant and Unavoidable</u> <u>Less Than Significant w/ Mitigation</u>	Less (No Impact)	Less (Less Than Significant w/ Mitigation)	Less (Less Than Significant w/ Mitigation)
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**3. Page 5-17. Revise text in the paragraph under subheading n. Traffic and Circulation as follows:**

The No Project/No Build Alternative would not result in additional development within the project area and therefore would not result in any impact to the transportation system due to construction or operation activities. In contrast, the proposed project would add trips to regional and local roadways associated with the site's residential population and employment workforce. The proposed project includes various mitigation measures to ensure that construction activities accommodate smooth and efficient transportation flow during construction, thus avoiding significant traffic ~~hazard~~ impacts due to construction activities. The project's daily trips would add trips to the local roadway network and regional transportation system, but impacts would be reduced to less than significant with ~~mitigation, unless R-4 high density residential uses are developed within Planning Area 24, which is conservatively concluded to result in significant unavoidable operational impacts to intersection levels of service even with~~ implementation of applicable mitigation measures. As such, this Alternative would avoid ~~a significant unavoidable the traffic impacts associated with implementation of the proposed project, though such impacts would be less than significant with mitigation.~~ The proposed project's access and parking facilities have been designed to meet project needs and would have less than significant impacts. Impacts of the No Project/No Build Alternative would be less than those of the proposed project, as no impacts would occur under this Alternative.

**4. Page 5-24. Revise text in the paragraph under subheading n. Traffic and Circulation as follows:**

The No Project/Existing Specific Plan Alternative would generate additional traffic at the project site, which could adversely affect the function and associated level of service (LOS) of intersections and roadway segments in the project area. However, impacts to the traffic system, including SANBAG CMP facilities (i.e., major regional thoroughfares, freeways, on- and off-ramps, and associated intersections), would be reduced to less than significant levels through implementation of applicable mitigation measures, and thus this Alternative would ~~avoid a significant unavoidable reduce impacts to intersection level of service that would occur under the proposed project, though such impacts would be less than significant with mitigation.~~ Since this Alternative would not trigger ~~a significant traffic system impact, its impact regarding conflicts with plans, ordinances or policies establishing measures of effectiveness for the performance of the circulation system, including the County's CMP, though given the incremental decrease in development intensity and associated traffic generation under this Alternative, impacts~~ would be less than under the proposed project. Impacts related to

traffic hazards/access, parking capacity, and conflicts with alternative transportation plans, policies, or programs would be less than significant, similar to the proposed project, since future projects on-site under the adopted Specific Plan would be subject to site plan review to address traffic safety and access issues, as well as parking adequacy, and would be required to provide public transit improvements, as well as pedestrian and bicycle facilities, within the project area.

**5. Page 5-33. Revise text in the paragraph under subheading n. Traffic and Circulation as follows:**

The Historic Preservation Alternative would generate additional traffic at the project site, which could adversely affect the function and associated level of service (LOS) of intersections and roadway segments in the project area. However, impacts to the traffic system, including SANBAG CMP facilities (i.e., major regional thoroughfares, freeways, on- and off-ramps, and associated intersections), would be reduced to less than significant levels through implementation of applicable mitigation measures, and thus this Alternative would ~~avoid a significant unavoidable reduce impacts~~ to intersection level of service that would occur under proposed project, ~~though such impacts would be less than significant with mitigation~~. Since this Alternative would not trigger ~~a~~ significant traffic system impact, its impact regarding conflicts with plans, ordinances or policies establishing measures of effectiveness for the performance of the circulation system, including the County's CMP, ~~though~~ given the incremental decrease in development intensity and associated traffic generation under this Alternative, ~~impacts~~ would be less than under the proposed project. Impacts related to traffic hazards/access, parking capacity, and conflicts with alternative transportation plans, policies, or programs would be less than significant, similar to the proposed project, since future projects on-site under the adopted Specific Plan would be subject to site plan review to address traffic safety and access issues, as well as parking adequacy, and would be required to provide public transit improvements, as well as pedestrian and bicycle facilities, within the project area.

**6. Page 5-37. Revise text in the last two paragraphs on the page as follows:**

Of the Alternatives analyzed in the Draft EIR, the No Project/No Build Alternative is considered the overall environmentally superior alternative as it would reduce the vast majority of the project impacts and avoid the project's significant impacts regarding agriculture and forestry resources (farmland conversion), conflicts with the applicable AQMP, short-term construction-related air quality impacts, permanent loss of known historic resources, ~~and~~ long-term operational impacts relative to air quality and noise, ~~and operational impacts to intersection levels of service~~. However, as indicated above, this Alternative would not meet any of the project objectives. The extent to which each project Alternative would meet each of the stated objectives of the proposed project is summarized below in Table 5-2.

In accordance with the *CEQA Guidelines* requirement to identify an environmentally superior alternative other than the No Project Alternative, a comparative evaluation of the remaining alternatives indicates that the Historic Preservation Alternative would be the environmentally superior alternative, relative to the other alternatives. It would eliminate the project's significant impact to historic resources ~~and intersection levels of service (though the significant intersection impact would only occur if R-4 residential uses are developed within Planning Area 24)~~ and would also reduce the project's significant air quality, agriculture and forestry resources, and noise impacts to a greater extent than the other alternatives; however, these impacts would remain significant and

unavoidable. Further, while this alternative does reduce some project impacts, it would result in greater impacts relative to population and housing; specifically, this Alternative would not provide as many housing units or employment opportunities on-site as would the proposed project. However, since this reduction in on-site housing and employment provision does not necessarily translate to a physical environmental impact, impacts are not considered significant or substantially more severe than under the proposed project.

## Chapter 6 – Other Mandatory CEQA Considerations

### 1. Page 6-1. Delete the last paragraph on the page as follows:

~~Transportation/Traffic: While traffic related impacts to local intersections under the proposed Specific Plan would be reduced to less than significant with implementation of applicable mitigation measures, the additional traffic generation associated with development of R-4 residential uses on up to 20.0 acres within Planning Area 24 could result in significant impacts to intersections even with implementation of applicable mitigation measures. As such, it is conservatively concluded that intersection impacts would be significant and unavoidable.~~

### 2. Page 6-2. Modify text in the second to last paragraph on the page as follows:

Several alternatives to the proposed project were considered in Chapter 5, *Alternatives*, of this Draft EIR. Among those alternatives, no feasible alternative other than the No Project/No Development Alternative is identified that would reduce all of the significant unavoidable effects of the proposed project. In addition, none of the alternatives would achieve the objectives to the extent the project the project would. Significant unavoidable impacts from Specific Plan implementation would result from permanent conversion of agricultural lands to non-agricultural use, regional and local construction-related air pollutant emissions, AQMP consistency, impacts to known historic resources, and operational noise and air pollutant emissions, and traffic related intersection impacts. Finally, since the No Project/No Build Alternative would not meet the underlying purpose of the project, it is not considered a feasible development alternative.

### 3. Page 6-4. Modify text in the second and third paragraphs under Growth Inducing Impacts as follows:

The proposed project would allow for the future development of up to ~~6,410-5,410~~ dwelling units as well as commercial retail, office, warehouse, light industrial, school, and open space/recreational uses within the project boundaries. The future development of new residential units and commercial and school uses would not cause a progression of growth beyond the project area itself. The project site is located in an area surrounded by urbanized land, and is served by current infrastructure (e.g., roads and utilities), and community service facilities (e.g., police, fire, schools, and libraries). The project's only infrastructure improvements would consist of tie-ins to, and extensions of, the existing utility main-lines already serving the project area.

The proposed project's ~~6,410-5,410~~ residential units would directly generate a residential population of approximately ~~25,448-21,478~~ new residents, while the new commercial, business park, and school uses on-site would indirectly generate 3,460 new residents, for a total project-related population

growth of 28,908–24,938 persons. While this generated population growth would be substantial, it would not exceed the established SCAG regional, subregional, and local growth forecasts for the City of Fontana.

**4. Page 6-5. Modify text in the paragraph under Air Quality as follows:**

Mitigation Measures C-1 through C-8 require that project construction practices be carried out in a manner that reduces the level of air quality emissions. As such, these mitigation measures would directly reduce environmental impacts of the proposed project and would not result in secondary impacts for their implementation. The consumption of water for dust suppression, Mitigation Measure C-7, would be negligible and temporary and therefore would not contribute to long-term impacts related to water supply. Mitigation Measures C-9 through C-14–C-21 require that additional project-specific air quality modeling and analysis be performed regarding future operation of sensitive uses in proximity to light industrial uses and existing freeway corridors, and further that programs be implemented on-site during project operation to minimize air pollutant emissions from proposed uses. These measures would result in reduced environmental impacts regarding air quality and would not result in any adverse secondary effects.

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## 4.0 MITIGATION MONITORING AND REPORTING PROGRAM

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This Mitigation Monitoring and Reporting Program (MMRP), which is provided in **Table 4-1, Mitigation Monitoring and Reporting**, has been prepared pursuant to Public Resources Code Section 21081.6, which requires adoption of a MMRP for projects in which the Lead Agency has required changes or adopted mitigation to avoid significant environmental effects. The City of Fontana is the Lead Agency for the proposed Westgate Specific Plan Project and therefore is responsible for administering and implementing the MMRP. The decision-makers must define specific reporting and/or monitoring requirements to be enforced during Project implementation prior to final approval of the Project. The primary purpose of the MMRP is to ensure that the mitigation measures identified in the Draft and Final EIR (designated by the respective environmental issue within Chapter 4.0 of the EIR) are implemented thereby minimizing identified environmental effects.

The MMRP for the Project will be in place through all phases of the Project, including design (Pre-Construction), Construction, and Operation (both prior to and post-occupancy). The City of Fontana Community Development Department, Planning Division is responsible for administering the MMRP. The Planning Division will ensure that monitoring is documented through periodic reports and that deficiencies are promptly corrected. The designated environmental monitor will track and document compliance with mitigation measures, note any problems that may result, and take appropriate action to remedy problems.

Each mitigation measure is categorized by impact area, with an accompanying identification of:

- The monitoring and reporting phase during which the mitigation measure should be monitored;
- The timing to which the mitigation measure must comply with; and
- The responsible monitoring personnel/agency.

Table 4-1

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<b><i>Agriculture and Forestry Resources</i></b>						
<b>Mitigation Measure B-1</b> - Prior to future project approval, for the on-site land that is mapped as Unique Farmland, the project proponent shall allow agricultural activities to continue or resume on such farmland for a period of time as long as practicable until development of such land pursuant to the project, thereby allowing agricultural use up to and until the land is prepared for development and/or development-related activities pursuant to the project.	Plan check	Prior to issuance of grading permits	Community Development Department			
<b>Mitigation B-2</b> - Prior to issuance of a grading or building permit, whichever occurs first, the project proponent shall complete one or more of the following measures to mitigate the loss of agricultural land before conversion: <ul style="list-style-type: none"> <li>For on-site land that is mapped as Unique Farmland, the project proponent shall make displaced topsoil available to less productive agricultural lands in the surrounding region, including on similarly mapped agricultural land within San Bernardino County or within the San Joaquin Valley (San Joaquin,</li> </ul>	Plan check	Prior to issuance of grading permits	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<p>Stanislaus, Merced, Fresno, Madera, Kings, Tulare, or Kern County). Such dispersion of displaced topsoil can add productivity and yield to other farmland;</p> <ul style="list-style-type: none"> <li>▪ For on-site land that is mapped as Unique Farmland and designated in the project as Open Space/Utility Corridor totaling approximately 43 acres, subject to existing utility easements and restrictions and City trails and setbacks, preserve such land for agricultural uses; and</li> <li>▪ For on-site land that is not mapped as Unique Farmland or other farmland designation and is designated in the project as Open Space/Utility Corridor totaling approximately 44 acres, subject to existing utility easements and restrictions and City trails and setbacks, dedicate such land for agricultural uses.</li> </ul>						
<b>Air Quality</b>						
<b>Mitigation Measure C-1</b> – To minimize potential construction-period VOC impacts, the City shall require future projects to use architectural coatings which meet the SCAQMD “super-compliant” VOC standard of <10 g/L, if	Construction	Prior to Construction (Bid Document Specifications)/During Construction	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
readily available from commercial suppliers.						
<b>Mitigation Measure C-2</b> - During project construction, the City shall require internal combustion engines/construction equipment operating on future project sites greater than five acres to meet the following: <ul style="list-style-type: none"> <li>▪ At least 50 percent of construction equipment greater than 250 hp, which are on-site for 6 or more consecutive work days, shall meet Tier 3 emissions standards or better and be outfitted with BACT devices (e.g., Level 3 diesel emissions control devices) certified by CARB.</li> <li>▪ Post-January 1, 2016, in addition to the Tier 3 standards specified above, an additional 20 percent or more of construction equipment greater than 250 hp, which are on-site for 6 or more consecutive work days, shall meet Tier 4 and be outfitted with BACT devices (e.g., Level 3 diesel emissions control devices) certified by CARB.</li> <li>▪ A copy of each unit's certified tier specification and BACT documentation shall be available for</li> </ul>	Construction	Prior to Construction (Bid Document Specifications)/During Construction	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
inspection during construction. The contractor(s) shall monitor and record compliance for each project construction phase and document efforts undertaken to increase the use of compliant off-road vehicles, such as but not limited to bid solicitation documents, fleet registration of successful vendor(s), etc.						
<b>Mitigation Measure C-2a:</b> During project construction, the City shall require diesel-fueled on-road haul trucks importing or exporting soil or other materials to and from the project site to meet the USEPA model year 2007 or newer on-road emissions standards. A copy of each unit's certified emissions standard documentation shall be available during construction activities.	Construction	Prior to Construction (Bid Document Specifications)/During Construction	Community Development Department			
<b>Mitigation Measure C-3:</b> Construction contractors supplying heavy duty diesel equipment, greater than 50 hp, will be encouraged to apply for AQMD SOON funds. Information including the AQMD website will be provided to each contractor which uses heavy duty diesel for on-site construction activities.	Construction	Prior to Construction (Bid Document Specifications)/During Construction	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<b>Mitigation Measure C-4:</b> All construction vehicles shall be prohibited from idling in excess of five minutes, both on- and off-site.	Construction	Prior to Construction (Bid Document Specifications)/During Construction	Community Development Department			
<b>Mitigation Measure C-5:</b> All construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications.	Construction	Prior to Construction (Bid Document Specifications)/During Construction	Community Development Department			
<b>Mitigation Measure C-6:</b> General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions by implementing the following construction measures: <ul style="list-style-type: none"> <li>▪ Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.</li> <li>▪ Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.</li> <li>▪ Reroute construction trucks away from congested streets or sensitive receptor areas.</li> <li>▪ Appoint a construction relations officer to act as a community liaison</li> </ul>	Construction	Prior to Construction (Bid Document Specifications)/During Construction	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<p>concerning on-site construction activity including resolution of issues related to PM10 generation.</p> <ul style="list-style-type: none"> <li>▪ Improve traffic flow by signal synchronization.</li> <li>▪ Require the use of electricity from power poles rather than temporary diesel or gasoline powered generators.</li> </ul>						
<p><b>Mitigation Measure C-7:</b> The City shall require future projects to comply with the following SCAQMD Applicable Rule 403 (Fugitive Dust) Measures:</p> <ul style="list-style-type: none"> <li>▪ Apply nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more).</li> <li>▪ Water active sites at least three times daily (locations where grading is to occur will be thoroughly watered prior to earthmoving).</li> <li>▪ All trucks hauling dirt, sand, soil, or other loose materials are to be covered, or should maintain at least two feet of freeboard in accordance with the requirements of California</li> </ul>	Construction	Prior to Construction (Bid Document Specifications)/During Construction	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
Vehicle Code (CVC) Section 23114 (freeboard means vertical space between the top of the load and top of the trailer). <ul style="list-style-type: none"> <li>▪ Cease grading during periods when winds exceed 25 miles per hour.</li> <li>▪ Pave construction access roads at least 100 feet onto the site from main road.</li> <li>▪ Traffic speeds on all unpaved roads shall be reduced to 15 mph or less.</li> <li>▪ Stockpiled dirt may be covered with a tarp to reduce the need for watering or soil stabilizers.</li> </ul>						
<b>Mitigation Measure C-8:</b> The City shall require future projects greater than five acres to conduct individual localized impact analysis using dispersion modeling. If such analysis produces significant impacts, with respect to the SCAQMD air quality standards, future projects must mitigate impacts to the extent possible utilizing approved mitigation measures such as those outlined in Mitigation Measures C-1 through C-7.	Site Plan Review	Prior to Approval	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<b>Mitigation Measure C-9:</b> The City shall require future commercial and industrial projects with 250 or more employees to provide incentives for employees to use public transportation such as discounted transit passes, reduced ticket prices, and/or other incentives.	Site Plan Review	Prior to Issuance of Certificate of Occupancy	Community Development Department			
<b>Mitigation Measure C-10:</b> The City shall require future commercial and industrial projects with 250 or more employees to provide incentives for employees and the public to reduce single-occupancy vehicle trips by implementing ridesharing programs, such as carpools/vanpools, and shall provide bicycling facilities such as secured bicycle parking, and employee lockers and showers.	Site Plan Review	Prior to Issuance of Certificate of Occupancy	Community Development Department			
<b>Mitigation Measure C-11:</b> The City shall require future commercial and industrial projects with loading docks or delivery trucks to prohibit idling of on- and off-road heavy-duty diesel vehicles for prolonged periods pursuant to Title 13 of the California Code of Regulations, Section 2485, which limits idle times to not more than five minutes. Such projects shall be required to post signage at all loading docks and/or delivery areas directing drivers to shut down their trucks after five minutes of idle time.	Site Plan Review	Prior to Issuance of Certificate of Occupancy	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
Also, project site employers who own and operate truck fleets shall be required to inform their drivers of the anti-idling policy.						
<b>Mitigation Measure C-12:</b> The City shall require future commercial and industrial projects with loading docks or dedicated delivery areas to provide on-site electrical connections for trucks and require that all electric-capable trucks utilize the connections when in use on-site. Such projects shall be required to post signage at all loading docks and/or dedicated delivery areas directing electric-capable truck operators to utilize the connections.	Site Plan Review	Prior to Issuance of Certificate of Occupancy	Community Development Department			
<b>Mitigation Measure C-13:</b> The City shall require future residential, commercial, and industrial projects promote the expanded use of renewable fuel and low-emission vehicles by including the following project components: provide preferential parking for ultra-low emission, zero-emission, and alternative-fuel vehicles; and provide electric vehicle charging stations within the development. Future multi-family residential, commercial, and industrial projects shall be required to provide parking spaces capable of supporting	Site Plan Review	Prior to Issuance of Certificate of Occupancy	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
future installation of electric vehicle charging stations consistent with the CALGreen code Tier 1 standards.						
<b>Mitigation Measure C-14:</b> The City shall require future projects to provide linkages and connections to adjacent off-site trails, walkways, and other pedestrian commuting routes.	Site Plan Review	Plan Check	Community Development Department			
<b>Mitigation Measure C-15:</b> The City shall require future projects with industrial uses to conduct individual localized impact analysis using SCAQMD LST assessment (projects less than 5 acres) or dispersion modeling (projects greater than 5 acres). If such analysis produces significant impacts, with respect to the SCAQMD air quality standards, future projects must mitigate impacts using approved mitigation measures such as those outlined in Mitigation Measures C-9 through C-14.	Site Plan Review	Plan Check	Community Development Department			
<b>Mitigation Measure C-16:</b> Prior to future project approval, plans demonstrating that residential units are to be located a minimum of 200 feet from the nearest right of way of Interstate 15 or State Route 210 and that the units would be equipped with high-efficiency air filters shall be submitted to the City for review and approval. Residential	Site Plan Review	Plan Check	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
units located within 500 feet from the closest right of way of Interstate 15 or State Route 210 shall be equipped with high-efficiency air filters with a rating of MERV 8 or better.						
<b>Mitigation Measure C-17:</b> Prior to future project approval, plans shall demonstrate that sensitive uses are to be located a minimum separation distance from light industrial and commercial uses, as recommended in the CARB Air Quality and Land Use Handbook. For future projects that result in sensitive uses within the recommended separation distance, an analysis, such as a project-level health risk assessment, shall demonstrate compliance with the SCAQMD health risk thresholds of significance or are mitigated to the extent feasible.	Site Plan Review	Plan Check	Community Development Department			
<b>Mitigation Measure C-18:</b> Residential, commercial, and industrial buildings, where appropriate and applicable, shall be required to be constructed with solar-ready rooftops that provide for the future installation of on-site solar photovoltaic (PV) or solar water heating (SWH) systems.	Site Plan Review	Plan Check	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<b>Mitigation Measure C-19:</b> Future implementing projects with residential, commercial, or industrial buildings or on-site paved surface areas, where appropriate and applicable, shall be required to be constructed with cool roofing or cool pavement materials that would at a minimum meet the CALGreen code Tier 1 standards.	Site Plan Review	Plan Check	Community Development Department			
<b>Mitigation Measure C-20:</b> Future implementing projects with residential and commercial buildings, where appropriate and applicable, shall be required to install Energy Star-rated or equivalent appliances.	Site Plan Review	Plan Check	Community Development Department			
<b>Mitigation Measure C-21:</b> Tenants of future implementing projects shall be encouraged to use water-based or low VOC cleaning products. Information on water-based or low VOC cleaning products can be obtained from the following sources: <ul style="list-style-type: none"> <li>▪ South Coast Air Quality Management District: <a href="http://www.aqmd.gov/home/programs/business/business-detail?title=low-voc-cleaning-materials-equipment-list">http://www.aqmd.gov/home/programs/business/business-detail?title=low-voc-cleaning-materials-equipment-list</a>,</li> <li>▪ California Air Resources Board: <a href="http://www.arb.ca.gov/research/ind">http://www.arb.ca.gov/research/ind</a></li> </ul>	Site Plan Review	Plan Check	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
oor/ cleaning_products_fact_sheet-10-2008.pdf, ▪ U.S. Environmental Protection Agency: http://www.epa.gov/greenhomes/protectingyourhealth.htm.						
<b>Biological Resources</b>						
<b>Mitigation Measure D-1:</b> Prior to the issuance of any grading permit for the Westgate Village area or Falcon Ridge Village Area, habitat assessments should be conducted to confirm the presence and extent of suitable habitat for coastal California gnatcatcher and San Bernardino kangaroo rat (SBKR). Specifically, Riversidean Sage Scrub (RSS) and Riversidean Alluvial Fan Sage Scrub (RAFSS) was mapped in the Westgate Village area during 2012 surveys and may be suitable for coastal California gnatcatcher, and USFWS mapped designated critical habitat for SBKR occurs in the Falcon Ridge Village area. If suitable habitat is present, focused protocol surveys should be conducted. The assessments and focused surveys should be conducted by a biologist(s) possessing a valid Endangered Species Act Section 10(a)(1)(A) Recovery Permit (herein referred to as a USFWS permitted	Pre-Construction	Prior to Issuance of Grading Permits	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<p>biologist) and following the required USFWS survey protocols.</p> <p>If coastal California gnatcatcher and/or SBKR are found to occupy the site, and/or if suitable habitat within SBKR designated critical habitat is proposed for impacts, the measures outlined below shall be incorporated. The project applicant shall also consult with USFWS pursuant to the Federal Endangered Species Act, either through a Section 7 or a Section 10 consultation to ensure that proposed impacts are not likely to jeopardize the continued existence of the listed species or destroy or adversely modify SBKR designated critical habitat. The proposed measures may be refined during the consultation process.</p> <p><u>Coastal California Gnatcatcher</u></p> <ol style="list-style-type: none"> <li>1. Avoid CAGN occupied habitat to the greatest extent feasible, and preserve avoided habitat and any mitigation areas in perpetuity (see 2. and 3. below).</li> <li>2. Mitigate for any impacts to CAGN occupied habitat at a minimum 2:1 ratio of habitat restoration or creation either on-site and/or off-site on land acquired for the</li> </ol>						

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<p>purpose of mitigation, or through the purchase of mitigation credits at an agency approved mitigation bank. Purchase of any mitigation credits should occur prior to any habitat removal. Mitigation on land acquired for mitigation shall include the preservation, creation, restoration, and/or enhancement of similar habitat pursuant to a Habitat Mitigation and Monitoring Plan (HMMP). The HMMP shall be prepared prior to any impacts to the habitat, and shall provide details as to the implementation of the mitigation, maintenance, and future monitoring. The goal of the mitigation shall be to preserve, create, restore, and/or enhance similar habitat with equal or greater function and value than the impacted habitat.</p> <p>3. Provide long-term management of preserved and/or mitigation habitat.</p> <p>4. Avoid direct mortality of individual CAGN during construction by:</p> <p>a. Removing any vegetation</p>						

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<p>within CAGN occupied habitat outside the breeding season (the breeding season is February 15 to August 31); and</p> <p>b. Monitoring by a qualified biologist during vegetation removal to flush out any non-breeding birds away from the clearing activities.</p> <p>5. Avoid indirect impacts to CAGN including noise impacts during construction and edge effects post-construction, by implementing measures to buffer and avoid human-wildlife conflicts as appropriate. Proposed measures are as follows:</p> <p><i>During Construction</i></p> <p>a. Construction noise shall not exceed 60 dB(A) Leq in avoided occupied coastal California gnatcatcher habitat between February 15 and August 31 unless noise attenuation measures are implemented to reduce noise levels below this level, or the</p>						

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<p>USFWS approves noise levels above this threshold. Noise attenuation measures may include, but are not limited to, establishing construction setback buffers, equipment noise mufflers, and noise walls, as determined necessary by an acoustic specialist and in consultation with the project biologist. Monitoring by a qualified biologist should also occur during construction to ensure noise levels are maintained below the threshold. Alternatively, construction noise levels above 60 dB(A) Leq may be approved by USFWS if monitoring by a USFWS permitted biologist for this species determines that the construction noise is not impacting the expected breeding behavior of the birds.</p> <p><i>Post Construction</i></p> <p>b. Installation of cat-proof fencing at the perimeter of development where it abuts</p>						

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<p>preserved areas.</p> <p>c. Restricting access to preservation areas for conservation activities only.</p> <p>d. Direction of all night lighting within development areas away from the preserved areas.</p> <p>e. Installation of signage to direct human activity away from preserved habitat areas.</p> <p>f. Prohibition of unleashed dogs within preserved habitat areas.</p> <p>g. Implementation of an awareness program to educate tenants and/or residents about the conservation values associated with preserved habitat areas.</p> <p><u>SBKR</u></p> <p>1. Avoid SBKR occupied or suitable habitat within SBKR designated critical habitat to the greatest extent feasible, and preserve avoided habitat and any mitigation areas in perpetuity</p>						

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
(see 2. and 3. below).  2. Mitigate for any impacts to SBKR occupied or suitable habitat within SBKR designated critical habitat at a minimum 2:1 ratio of habitat restoration or creation either on-site and/or off-site on land acquired for the purpose of mitigation, or through the purchase of mitigation credits at an agency approved mitigation bank. Purchase of any mitigation credits should occur prior to any habitat removal. Mitigation on land acquired for mitigation shall include the preservation, creation, restoration, and/or enhancement of similar habitat pursuant to a Habitat Mitigation and Monitoring Plan (HMMP). The HMMP shall be prepared prior to any impacts to the habitat, and shall provide details as to the implementation of the mitigation, maintenance, and future monitoring. The goal of the mitigation shall be to preserve, create, restore, and/or enhance similar habitat with equal or greater function and						

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<p>value than the impacted habitat.</p> <p>3. Provide long-term management of preserved and/or mitigation habitat.</p> <p>4. Avoid direct mortality of individual SBKR during construction by:</p> <p>a. Installation of exclusionary fencing at the limits of construction within suitable habitat areas; and</p> <p>b. Live-trapping of SBKR within suitable habitat in construction areas and the relocation of trapped individuals to one or more biologically appropriate receiver sites (defined as suitable habitat that is known to be unoccupied, is below population carrying capacity levels, and/or where scrub vegetation has been restored and colonization by the species has not occurred). Trapping shall be conducted by a USFWS permitted or approved biologist.</p>						

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<p>5. Avoid indirect impacts to SBKR as a result of edge effects post-construction by implementing measures to buffer and avoid human-wildlife conflicts as appropriate, such as:</p> <ul style="list-style-type: none"> <li>a. Installation of cat-proof fencing at the perimeter of development where it abuts preserved areas.</li> <li>b. Restricting access to preservation areas for conservation activities only.</li> <li>c. Direction of all night lighting within development areas away from the preserved areas.</li> <li>d. Installation of signage to direct human activity away from preserved habitat areas.</li> <li>e. Prohibition of unleashed dogs within preserved habitat areas.</li> <li>f. Implementation of a homeowner's awareness program to educate residents about the conservation values associated with preserved habitat areas.</li> </ul>						

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<b>Mitigation Measure D-2:</b> Focused surveys for burrowing owl shall be conducted during the breeding season prior to vegetation clearing or ground disturbing activities by a qualified biologist with experience conducting surveys for this species. Surveys shall be conducted in suitable habitat as determined by the qualified biologist based on a field assessment of site conditions at the time of the survey, including habitats such as the Ruderal and Non-native Grassland plant communities observed during the 2012 survey. The survey methodology shall follow the protocol provided as Appendix D of the Staff Report on Burrowing Owl Mitigation published by Department of Fish and Wildlife (March 7, 2012). Pursuant to this protocol four survey visits are required, including at least one site visit between February 15 and April 15, and a minimum of three survey visits at least three weeks apart between April 15 and July 15 (with at least one visit after June 15). The results of the focused surveys are typically considered valid for one year after completion.  If burrowing owls are determined present following focused surveys, occupied burrows shall be avoided to the	Pre-Construction	Prior to Issuance of Grading Permits	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
greatest extent feasible, following the guidelines in the 2012 Staff Report on Burrowing Owl Mitigation including, but not limited to, conducting pre-construction surveys, avoiding occupied burrows during the nesting and non-breeding seasons, implementing a worker awareness program, biological monitoring, establishing avoidance buffers, and flagging burrows for avoidance with visible markers. If occupied burrows cannot be avoided, acceptable methods may be used to exclude burrowing owl either temporarily or permanently, pursuant to a Burrowing Owl Exclusion Plan that shall be prepared and approved by CDFW. The Burrowing Owl Exclusion Plan shall be prepared in accordance with the guidelines in the Staff Report on Burrowing Owl Mitigation.						
<b>Mitigation Measure D-3:</b> Prior to the issuance of any grading permit in areas determined to support sensitive plant communities (e.g., RSS and RAFSS in the Westgate Village area) to which significant impacts would occur, an assessment shall be conducted to confirm the presence and extent of these vegetation communities and potentially suitable habitat for sensitive plants. If	Pre-Construction	Prior to Issuance of Grading Permits	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
suitable habitat is present for sensitive plants, a focused survey shall be conducted. The survey shall be conducted by a qualified biologist with experience in conducting plant surveys and pursuant to the CDFW protocol (i.e., "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities"). If any sensitive plant species are found the significance of potential impacts shall be assessed following the guidelines in the CDFW protocol, including the significance of the populations observed considering nearby populations and total species distribution. Impacts to sensitive plant communities shall be minimized to the greatest extent feasible. For significant impacts, mitigation shall be proposed and outlined in a Habitat Mitigation and Monitoring Plan (HMMP) that shall be prepared during project-level approvals. The HMMP shall offset impacts to the species and/or plant communities, focusing on the creation of equivalent habitats within disturbed habitat areas within the study area and/or off-site. In addition, the HMMP shall provide details as to the implementation of the mitigation, maintenance, and future monitoring.						

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
Mitigation for impacts shall be offset by on- or off-site replacement, restoration, or enhancement of each respective sensitive plant species/community within an area dedicated for conservation. Ratios of mitigation to impacts shall occur at no less than 0.5:1 for disturbed, remnant plant populations/communities (e.g. Disturbed RSS and Disturbed RAFSS), and at a minimum 1:1 ratio for less disturbed plant populations/communities (e.g. RSS and RAFSS/Disturbed). Mitigation shall occur in one or more of the following ways, as determined appropriate by a qualified biologist: <ol style="list-style-type: none"> <li>1. Transplantation of sensitive plant species (on-site or off- site);</li> <li>2. Seeding of plant species (on-site or off- site);</li> <li>3. Planting of container plants (on-site or off- site);</li> <li>4. Salvage of on-site duff and seed bank and subsequent dispersal (on-site or off- site); and/or</li> <li>5. Off-site preservation at an established mitigation bank or other area dedicated for conservation.</li> </ol>						

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<b>Mitigation Measure D-4:</b> Prior to the issuance of any grading permit for permanent impacts in the areas designated as jurisdictional features on Figure 4.D-7, Impacts to Jurisdictional Features, the project applicant shall obtain a CWA Section 404 permit from the USACE, a CWA Section 401 permit from the RWQCB, and Streambed Alteration Agreement permit under Section 1602 of the California Fish and Game Code from the CDFW. The following shall be incorporated into the permitting, subject to approval by the regulatory agencies: <ol style="list-style-type: none"> <li>1. On- and/or off-site replacement of USACE/RWQCB jurisdictional "waters of the U.S." /"waters of the State" at a ratio no less than 1:1 for permanent impacts, and for temporary impacts to restore the impact area to pre-project conditions (i.e., pre-project contours and revegetate as appropriate). Off-site replacement may include the purchase of mitigation credits at an agency-approved off-site mitigation bank.</li> <li>2. On- and/or off-site replacement of CDFW jurisdictional streambed</li> </ol>	Pre-Construction	Prior to Issuance of Grading Permits	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
and associated riparian habitat at a ratio no less than 2:1 for permanent impacts, and for temporary impacts to restore the impact area to pre-project conditions (i.e., pre-project contours and revegetate as appropriate). Off-site replacement may include the purchase of mitigation credits at an agency-approved off-site mitigation bank.						
<b>Mitigation Measure D-5:</b> Prior to the issuance of any grading permit that would all removal of habitat containing raptor and songbird nests, the project applicant shall demonstrate to the satisfaction of the City of Fontana that either of the following have been or will be accomplished. <ol style="list-style-type: none"> <li>1. Vegetation removal activities shall be scheduled outside the nesting season (September 16 to February 14 for songbirds; September 16 to January 14 for raptors) to avoid potential impacts to nesting birds.</li> <li>2. Any construction activities that occur during the nesting season (February 15 to August 31 September 15 for songbirds; January</li> </ol>	Pre-Construction	Prior to Issuance of Grading Permits	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
15 to August 31 September 15 for raptors) will require that all suitable habitat be thoroughly surveyed for the presence of nesting birds by a qualified biologist before commencement of clearing or ground disturbance activities. Surveys should be conducted within three (3) days prior to commencement of clearing or ground disturbance activities to the greatest extent feasible. Surveys may be required outside of the typical nesting season if the project biologist determines the potential for nesting activities. If any active nests are detected, a buffer of at least 300 feet (500 feet for raptors) will be delineated, flagged, and avoided until the nesting cycle is complete as determined by the biological monitor to minimize impacts. The project biologist may also recommend additional measures based on project-specific conditions to ensure compliance with all federal, state and local laws pertaining to nesting birds and birds of prey.						

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<b>Cultural Resources</b>						
<b>Mitigation Measure E-1:</b> If the historic agricultural landscape and any associated contributing features including the vineyards, water tank, water system, and farmstead site CA-SBR-7324H would be affected by a future project component of the Plan that would cause a substantial adverse change in the significance of the historical resource, the applicant shall hire a qualified historic preservation consultant to review the Project for conformance with the Secretary of the Interior's Standards, and the preservation consultant shall provide preservation design consultation to assist the applicant to avoid or reduce potential impacts to historical resources. If potentially significant impacts cannot be avoided, the applicant shall prepare a Historic American Landscapes Survey (HALS) to document the historic agricultural landscape in accordance with the National Parks Service's Requirements for Heritage Documentation Programs. The HALS shall be prepared by a qualified historian or architectural historian and include a discussion of the history of the vineyards and associated structures and infrastructure, historic aerial	Site Plan Review	Prior to Issuance of Demolition or Grading Permits	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
photographs and written descriptions illustrating the appearance and extent of the vineyards during the historic period, as well as photographs of the remaining landscape and structural features by a Historic American Landscape Survey (HALS)-qualified photographer. Furthermore, the applicant shall preserve a portion of the remaining vineyard within the project boundaries for interpretive purposes, at a size determined appropriate by the City, which shall be located in a publicly accessible area and shall include an interpretive plaque and historic aerial photo or historic map and timeline to educate visitors regarding the past use and significance of the property. If the former farmstead site CA-SBR-7324H would be physically impacted by future ground disturbing activities, the site shall be mitigated through archaeological data recovery by a qualified historical archaeologist prior to commencement of construction activities, as discussed below in Mitigation Measure E-4.						
<b>Mitigation Measure E-2:</b> The City shall conduct a Phase I Cultural Resources Assessment of the project to identify any archaeological resources within the area of a proposed project component. The	Pre-Construction/Construction	Prior to Issuance of Grading Permits/Throughout Construction	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<p>Phase I assessment shall include cultural resources records searches through the San Bernardino Archaeological Information Center (as needed), a Sacred Lands File search through the Native American Heritage Commission and follow-up Native American consultation (as needed), and a comprehensive pedestrian survey of the project site. As part of this assessment, the City shall also determine whether there is enough potential to encounter a buried historic archaeological deposit at the former location of CA-SBR-7324H that would warrant subsurface test excavations to identify its nature and extent.</p> <ul style="list-style-type: none"> <li>▪ If resources are identified during the Phase I assessment, then a Phase II assessment shall be required, as described in Mitigation Measure E-2.</li> <li>▪ If no resources are identified as part of the assessment, no further analyses or mitigation shall be warranted, unless it can be determined that the project has a high potential to encounter buried archaeological resources. This discussion will be included in a technical report and the</li> </ul>						

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<p>Cultural Resources Initial Study or EIR Section.</p> <ul style="list-style-type: none"> <li>▪ If it is determined that there is a moderate or high potential to encounter buried archaeological resources, appropriate mitigation shall be developed and implemented. Appropriate mitigation may include, redesign of the proposed project to avoid the sensitive area, in which case no additional mitigation would be required. If avoidance is not possible, appropriate mitigation shall include but not be limited to the following:</li> </ul> <p>Archaeological Monitoring During Construction: A qualified archaeologist shall be retained by the City prior to the commencement of the project. The archaeologist shall monitor all ground-disturbing activities and excavations within the project area. The purpose of the monitoring is to inspect sidewalls and spoils piles of exposed excavation trenches and pits for the presence or absence of archaeological resources and to determine whether native soils are present at depth. The frequency of monitoring shall be determined by PCR in</p>						

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
coordination with the City and shall be based on the results of the soil conditions and resource yields during construction. Such factors that will determine monitoring frequency include rate of excavation and grading activities, the materials being excavated (fill or native soils), the depth of excavation, and if found, the abundance and type of archaeological resources encountered. In addition, PCR shall recommend appropriate treatment measures (i.e., avoidance, removal, or preservation in place) to reduce or avoid impacts to buried resources, if encountered. If archaeological resources are encountered during implementation of the project, ground-disturbing activities shall temporarily be redirected from the vicinity of the find. The archaeologist shall be allowed to temporarily divert or redirect grading or excavation activities in the vicinity in order to make an evaluation of the find and determine appropriate treatment that may include the development and implementation of a testing/data recovery investigation or preservation in place. Upon completion of the monitoring services, the archaeologist shall prepare a final report about the find and the monitoring						

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
services to be filed with the City to show satisfactory compliance with the archaeological mitigation measures for a given project. The report shall include documentation and interpretation of resources recovered. Interpretation will include full evaluation of the eligibility with respect to the California Register of Historical Resources. The landowner, in consultation with the City and archaeologist, shall designate repositories to curate any material in the event that resources are recovered during construction.						
<b>Mitigation Measure E-3:</b> If resources are identified during the Phase I assessment, a Phase II Cultural Resources Assessment may be warranted if improvements or development is proposed in the vicinity of such resource, or if an alternate alignment or plan is not selected. The Phase II assessment shall evaluate the resource(s) for listing in the California Register of Historical Resources and to determine whether the resource qualifies as a "unique archaeological resource" pursuant to CEQA. If enough data is obtained from the Phase I assessment to conduct a proper evaluation, a Phase II assessment may not be necessary. Methodologies for	Pre-Construction/Construction	Prior to Issuance of Grading Permits/Throughout Construction	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
evaluating a resource can include, but are not limited to: subsurface archaeological excavations, additional background research, and coordination with interested individuals in the community. The methods and results of a Phase II assessment shall be described in a technical report that will support the Initial Study or EIR Section of the CEQA environmental document.						
<b>Mitigation Measure E-4:</b> If, as a result of the Phase II assessment, resources are determined eligible for listing in the California Register or are considered "unique archaeological resources," potential impacts to the resources shall be analyzed and if impacts are significant, mitigation measures shall be developed and implemented to reduce impacts to the resources to a level that is less than significant. The preferred mitigation of impacts to archaeological resources shall be avoidance and/or preservation in place such as resource "capping" (capping resource with a layer of clean fill soils before building on resource) or incorporating the resource into a park plan or open space. Preservation in place or avoidance would provide the least amount of impacts to the resource and would likely meet the interests of	Pre-Construction/Construction	Prior to Issuance of Grading Permits/Throughout Construction	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
individuals or groups who are concerned with impacts to archaeological resources such as Native American groups (if the resource is a prehistoric or Native American resource). If avoidance and/or preservation in place are not feasible, relocation of the resource shall be considered. If these mitigation options are not feasible and/or do not meet the interests of the City or other interested individuals or groups, then a Phase III archaeological assessment shall be implemented. Phase III assessments typically include additional subsurface archaeological excavations (i.e., data recovery) that serve to recover significant archaeological resources before they are damaged or destroyed by the proposed improvement. Phase III assessments shall be considered and implemented as a last resort if no other mitigation measures are feasible. The aforementioned measures are typically recommended as mitigation measures in the CEQA environmental document and are typically implemented after the CEQA environmental document has been certified and prior to issuance of grading or building permits. After the appropriate and feasible mitigation measure(s) has been selected and						

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
implemented, the methodology and results of its implementation shall be described in a technical report that shall be submitted to the City to show satisfactory compliance with the archaeological mitigation measures for a given project.						
The following mitigation measure applies to all components of the Specific Plan:  <b>Mitigation Measure E-5:</b> If archaeological resources (including historic and prehistoric resources) are encountered during implementation of the project, ground-disturbing activities should temporarily be redirected from the vicinity of the find. The City shall immediately notify a qualified archaeologist of the find. The archaeologist should coordinate with the City as to the immediate treatment of the find until a proper site visit and evaluation is made by the archaeologist. Treatment may include the implementation of an archaeological testing or salvage program. All archaeological resources recovered will be documented on California Department of Parks and Recreation Site Forms to be filed with the CHRIS-SBAIC. The archaeologist shall prepare a final report	Construction	Throughout Grading and Construction Activities	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
about the find to be filed with the City and the CHRIS-SBAIC, as required by the California Office of Historic Preservation. The report shall include documentation and interpretation of resources recovered. Interpretation will include full evaluation of the eligibility with respect to the California Register of Historical Resources. The landowner, in consultation with the City and the archaeologist, shall designate repositories to curate any material in the event that resources are recovered during construction. The archaeologist shall also determine the need for archaeological monitoring for any ground-disturbing activities in the area of the find thereafter.						
<b>Mitigation Measure E-6:</b> If construction excavations will reach depths of five feet or greater, a qualified paleontologist shall attend a pre-grading/excavation meeting and develop a paleontological monitoring program for excavations into older Pleistocene-aged Quaternary Alluvium deposits. A qualified paleontologist is defined as a paleontologist meeting the criteria established by the Society for Vertebrate Paleontology. The qualified paleontologist shall supervise a paleontological monitor who shall be	Pre-Construction/Construction	Prior to Issuance of Grading Permits/Throughout Construction	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
present at such times as required by the paleontologist during construction excavations below five feet or greater into older Pleistocene-aged Quaternary Alluvium deposits. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting wet or dry screened sediment samples of promising horizons for smaller fossil remains. The frequency of monitoring inspections shall be determined by the paleontologist and shall be based on the rate of excavation and grading activities, the materials being excavated, and the depth of excavation, and if found, the abundance and type of fossils encountered.						
<b>Mitigation Measure E-7:</b> If a potential fossil is found, the paleontological monitor shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation and, if necessary, salvage. At the Paleontologist's discretion and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing. Any fossils encountered and recovered shall be prepared to the point of identification	Pre-Construction/Construction	Prior to Issuance of Grading Permits/Throughout Construction	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
and catalogued before they are donated to their final repository. Any fossils collected shall be donated to a public, non-profit institution with a research interest in the materials, such as the San Bernardino County Museum or the Natural History Museum of Los Angeles County. Accompanying notes, maps, and photographs shall also be filed at the repository.						
<b>Mitigation Measure E-8:</b> The paleontologist shall prepare a report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted by the Applicant to the lead agency, the San Bernardino County Museum, the Natural History Museum of Los Angeles County, and other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.	Pre-Construction/Construction	Prior to Issuance of Grading Permits/Throughout Construction	Community Development Department			
<b>Mitigation Measure E-9:</b> If human remains are encountered unexpectedly during implementation of the proposed project, State Health and Safety Code Section 7050.5 requires that no further	Construction	Throughout Construction	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC shall then identify the person(s) thought to be the Most Likely Descendent (MLD). The MLD may, with the permission of the land owner, or his or her authorized representative, inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The MLD shall complete their inspection and make their recommendation within 48 hours of being granted access by the land owner to inspect the discovery. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural						

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<p>or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this mitigation measure, with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.</p> <p>Whenever the NAHC is unable to identify a MLD, or the MLD identified fails to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in Subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.</p>						

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<b>Geology and Soils</b>						
<b>Mitigation Measure F-1:</b> To evaluate the potential for direct and secondary effects related to ground shaking (including liquefaction, ground settlement, or collapse) to affect the proposed project components, surface reconnaissance and subsurface evaluation shall be performed for each future development. During the detailed design phase of each project, site-specific geotechnical evaluations shall be performed by a qualified geotechnical engineer to assess the settlement potential of the on-site natural soils and undocumented fill. This may include detailed surface reconnaissance to evaluate site conditions, and drilling of exploratory borings or test pits and laboratory testing of soils, where appropriate, to evaluate site conditions. Examples of possible design construction techniques for soils with potential for settlement include removal of the compressible/collapsible soil layers and replacement with compacted fill; surcharging to induce settlement prior to construction of improvements; allowing for a settlement period after or during construction of new fills; thickened concrete for structural members;	Pre-Construction	Prior to Issuance of Grading or Building Permits	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
additional metal reinforcement for structural members; strengthened structural connections; structural shear walls; flexible connections for utility lines; and specialized foundation design including the use of deep foundation systems to support structures. Varieties of in-situ soil improvement techniques are also available, such as dynamic compaction (heavy tamping) or compaction grouting.						
<b>Greenhouse Gas Emissions</b>						
<b>Mitigation Measure G-1:</b> For future projects, the City shall establish a Westgate Specific Plan Area-wide performance standard of 50 percent of all employees within the Specific Plan Area be eligible for participation in an employee commute trip reduction program. To achieve this standard, future projects with employers of 250 or more employees at a single location are required to implement an employee commute trip reduction program as required by the AQMP. Future projects with employers of less than 250 employees at a single location are required to implement an employee commute trip reduction program that meets the 50 percent eligibility	Site Plan Review	Prior to Issuance of Certificate of Occupancy	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<p>performance standard. The City may waive this requirement for businesses that are extremely small, such as local shops with fewer than 10 employees, etc. to the extent that such a waiver would not conflict with achievement of the performance standard (i.e., eligibility rate of 50 percent of all employees within the Specific Plan Area for participation in an employee commute trip reduction program). Employee commute trip reduction programs shall encompass a combination of individual measures which may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>▪ Provide ride-sharing programs and designate a certain percentage of parking spaces for ride sharing vehicles with adequate passenger loading and unloading and waiting areas for ride-sharing vehicles that minimize on-site circulation impacts and traffic impacts on adjacent roadways;</li> <li>▪ Allow telecommuting and alternative work schedules such as staggered start times, flexible schedules, or compressed work weeks;</li> </ul>						

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<ul style="list-style-type: none"> <li>▪ Provide employer-sponsored vanpools or shuttles for employee commutes, including purchasing or leasing vans for employee use and subsidizing the cost of vanpool program administration;</li> <li>▪ Provide convenient access to bicycle parking facilities;</li> <li>▪ Provide information on public or alternative transportation options;</li> <li>▪ Provide access to employee break rooms with refrigerators and microwaves; and</li> <li>▪ Require regular performance monitoring and reporting by employers to demonstrate achievement, or absence of conflict with achievement, of the Specific Plan Area-wide performance standard.</li> </ul>						
<b>Mitigation Measure G-2:</b> For future projects, the City shall recommend that schools (K-12) located within the Westgate Specific Plan Area implement a multi-strategy school commute trip reduction program that encompasses a combination of individual measures	Site Plan Review	Prior to Issuance of Certificate of Occupancy	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
including, but not limited to, the following: <ul style="list-style-type: none"> <li>▪ Provide a school bus program within each school's service area boundary;</li> <li>▪ Implement ride-sharing programs for students, faculty, and staff;</li> <li>▪ Provide priority parking for carpools/vanpools; and</li> <li>▪ Provide a designated passenger loading and unloading and waiting areas that minimize on-site circulation impacts and traffic impacts on adjacent roadways.</li> </ul>						

***Hazards and Hazardous Materials***

The following mitigation measures are contained in the City of Fontana General Plan EIR (GP EIR) in order to address potential impacts associated with hazardous materials, which are also applicable to the proposed Specific Plan:

<b>Mitigation Measure H-1:</b> The City shall require that new proposed facilities involved in the production, use, storage, transport or disposal of hazardous materials be located a safe distance from land uses that may be adversely impacted by such activities. Conversely, new sensitive facilities, such as schools, child-care centers, and senior centers, shall not to be located near existing sites that use,	Site Plan Review	Prior to Issuance of Grading or Building Permits	Community Development Department			
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Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
store, or generate hazardous materials. [GP EIR Mitigation Measure HM-1]						
<b>Mitigation Measure H-2:</b> The City shall assure the continued response and capability of the SBCFD/Fontana Fire Protection District to handle hazardous materials incidents in the City and along the sections of freeways that extend across the City. [GP EIR Mitigation Measure HM-2]	Site Plan Review/Operation	Prior to Issuance of Certificate of Occupancy/Throughout Operation	Community Development Department/Fontana Fire Protection District			
<b>Mitigation Measure H-3:</b> The City shall require all businesses that handle hazardous materials above the reportable quantity to submit an inventory of the hazardous materials that they manage to the SBCFD - Hazardous Materials Division in coordination with the Fontana Fire Protection District. [GP EIR Mitigation Measure HM-4]	Site Plan Review/Operation	Prior to Issuance of Certificate of Occupancy/Throughout Operation	Community Development Department/Fontana Fire Protection District			
<b>Mitigation Measure H-4:</b> The City shall identify roadways along which hazardous materials are routinely transported. If essential facilities, such as schools, hospitals, child care centers or other facilities with special evacuation needs are located along these routes, identify emergency response plans that these facilities can implement in the event of an	Site Plan Review/Operation	Prior to Issuance of Certificate of Occupancy/Throughout Operation	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
unauthorized release of hazardous materials in their area. [GP EIR Mitigation Measure HM-5]						
In addition to General Plan EIR mitigation measures provided above, the following recommendations are provided as mitigation measures to address potential RECs on the project site based, in part, upon the findings and conclusions of the Hazardous Materials Assessment:						
<b>Mitigation Measure H-5:</b> Development of school sites within the project area shall include Phase I Environmental Site Assessment in accordance with ASTM Standard 1527-05 and the DTSC's school site evaluation program.	Pre-Construction	Prior to Issuance of Demolition or Grading Permits	Community Development Department			
<b>Mitigation Measure H-6:</b> Due to the potential that concentrations of commercial pesticides likely applied on portions of the Specific Plan area may still be present in on site soils, soil samples shall be collected and analyzed for the presence of organochlorine pesticides and Title 22 Metals. Sampling and analysis shall be conducted in accordance with appropriate California guidelines (e.g., Department of Toxic Substances Control, 2008, Interim Guidance for Sampling Agricultural Properties). Soils with elevated organochlorine pesticides or metals compared with these guidelines shall be removed and disposed off site in accordance applicable federal, state, and local regulations.	Pre-Construction	Prior to Issuance of Demolition or Grading Permits	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<b>Mitigation Measure H-7:</b> Because aerially dispersed lead (ADL) may be present in the soil as a result of historical vehicle emissions during the era of leaded gasoline, an ADL survey shall be conducted within areas of exposed soil which will be disturbed during construction within 50 feet of the Interstate 15 freeway and the Interstate 210 freeway. Sampling and analysis shall be conducted in accordance with appropriate California guidelines (e.g., Department of Transportation, 2007, Caltrans Aerially Deposited Lead Guidance). Soils with elevated lead shall be removed and disposed off site in accordance applicable federal, state, and local regulations. ADL borings shall be located at no more than 300-foot horizontal intervals along the shoulders and medians where earth will be disturbed. The borings shall be advanced up to 4 feet below ground surface or the maximum anticipated construction depth, whichever is shallower.	Pre-Construction	Prior to Issuance of Demolition or Grading Permits	Community Development Department			
<b>Mitigation Measure H-8:</b> Construction contractors shall develop a soil management plan (SMP) prior to construction activities to address potentially impacted soils that may be uncovered during the construction phase	Pre-Construction/ Construction	Prior to Issuance of Demolition or Grading Permits/ Throughout Construction	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
of each future development project. SMPs shall include: potential chemicals of concern, a health and safety plan, identification of individuals responsible for the implementation of the SMP, dust and odor suppression control methods, procedure for notification and identification of unknown environmental features, site specific soil-management protocols, cleanup criteria, and soil reuse options. In accordance with the SMP, such soil generated during construction activities shall be characterized for disposal using new laboratory data representative of the soil being excavated and disposed.						
<b>Mitigation Measure H-9:</b> Piles of dumped materials, including soil, brick and concrete pieces, wood, and other trash and construction debris, were observed on the southeast corner of Westgate Center study area along Sierra Lakes Parkway. Soil piles and construction debris shall be analyzed for volatile organic compounds, total petroleum hydrocarbons, and Title 22 Metals to characterize the disposal of the unknown debris on the study area. Sampling and analysis shall be conducted in accordance with appropriate California guidelines (e.g., Department of Toxic	Pre-Construction	Prior to Issuance of Demolition or Grading Permits	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
Substances Control, 2001, Information Advisory, Clean Imported Fill Material). A minimum of four samples shall be collected and analyzed under an assumed residential/commercial land use. Sample results shall be compared to residential land use regional screening levels specified by the Department of Toxic Substances Control, 2005, Use of California Human Health Screening Levels (CHHSLs) in Evaluation of Contaminated Properties, or latest available Regional Screening Levels provided by the United States Environmental Protection Agency, Region 9. Soils or debris with elevated concentrations shall be removed and disposed off site in accordance applicable federal, state, and local regulations.						
<b>Mitigation Measure H-10:</b> Due to the presence of a former railroad alignment within project boundaries, any construction in which the soil around the railroad is to be disturbed shall be conducted under the purview of the Fontana Fire Protection District to identify proper handling procedures. Once the soil around the railroad has been removed, a visual inspection of the areas beneath and around the removed area shall be performed. Any stained	Pre-Construction	Prior to Issuance of Demolition or Grading Permits	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
soils observed underneath the area shall be sampled. Sampling and analysis shall be conducted in accordance with appropriate California guidelines (e.g., Department of Toxic Substances Control, 2001, Information Advisory, Clean Imported Fill Material). Samples shall be collected and analyzed at one-foot intervals to a depth of four feet at a 300-foot horizontal distance. Samples shall be analyzed for total petroleum hydrocarbons, polychlorinated biphenyls, polycyclic aromatic hydrocarbons, and Title 22 Metals, in accordance with appropriate US EPA Methods specified in SW-846. Sample results shall be compared to residential land use regional screening levels specified by Department of Toxic Substances Control, 2005, Use of California Human Health Screening Levels (CHHSLs) in Evaluation of Contaminated Properties, or latest available Regional Screening Levels provided by the United States Environmental Protection Agency, Region 9. Soils with elevated concentrations shall be removed and disposed off site in accordance applicable federal, state, and local regulations.						

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<b>Mitigation Measure H-11:</b> Records available for the Falcon Ridge Cleaners & Shirt Laundry (15218 Summit Avenue) at the SBCFD Hazardous Materials Division shall be reviewed for compliance with this facility's Consolidated Unified Program Agency (CUPA) permit.	Pre-Construction/Operation	Prior to Issuance of Demolition or Grading Permits/ As needed during operation to verify compliance	Community Development Department			
<b>Mitigation Measure H-12:</b> Prior to the issuance of grading permits, future developers shall prepare a Traffic Control Plan (TCP) for implementation during the construction phase. The TCP may include, but is not limited to, the following provisions: <ul style="list-style-type: none"> <li>At least one unobstructed lane shall be maintained in both directions on surrounding roadways.</li> <li>At any time only a single lane is available, the developer shall provide a temporary traffic signal, signal carriers (i.e., flagpersons), or other appropriate traffic controls to allow travel in both directions.</li> <li>If construction activities require the complete closure of a roadway segment, the developer shall provide appropriate signage</li> </ul>	Pre-Construction	Prior to Issuance of Grading Permits	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
indicating detours/alternative routes.						
<b>Mitigation Measure H-13:</b> Prior to construction, the City of Fontana Engineering Department shall consult with the City of Fontana Police Department to disclose temporary closures and alternative travel routes, in order to ensure adequate access for emergency vehicles when construction of future projects would result in temporary lane or roadway closures.	Pre-Construction	Prior to Issuance of Building Permits	Engineering Department			
<b>Noise</b>						
<b>Mitigation Measure K-1:</b> Prior to approval of design review permits for sensitive uses, such as residential uses, libraries, daycare facilities, neighborhood parks and playgrounds, planned for areas forecasted to exceed an exterior noise level of 65 CNEL (based on Table 4.K-13 of this Draft EIR ), the following shall occur:  a. An acoustical analysis shall be performed for residential structures to ensure that interior noise levels due to exterior sources would be at or below 45 CNEL. For these residential use areas, it may be necessary for the	Site Plan Review	Prior to Approval of Design Review Permits/ Prior to Issuance of Certificate of Occupancy	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<p>windows to be able to remain closed to ensure that interior noise levels meet the interior design standard of 45 CNEL. Consequently the design for these units may need to include mechanical ventilation or air conditioning systems to provide a habitable interior environment with the windows closed based on the results of the interior acoustical analysis.</p> <p>b. To reduce exterior noise levels to 65 CNEL or lower at outdoor sensitive uses (i.e., residential courtyards, parks, and passive recreation areas), a combination of sound barrier walls, earthen berms, and landscaping shall be designed and implemented by a qualified acoustical consultant. Alternatively, outdoor uses shall be located behind buildings (not facing traffic corridors) in a manner that shields outdoor sensitive uses from roadway noise and reduces the exterior noise level to 65 CNEL or below.</p> <p>c. Prior to occupancy of residential uses in Planning Areas 2, 6, and 8,</p>						

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<p>the project applicant shall construct a 20-foot-high sound wall or equivalent physical barrier at the residential property line along the east side of the I-15 Freeway in order to reduce mobile-source noise to acceptable levels. The specific type and design of the physical barrier to be employed at this location shall be determined by the results of the design-specific acoustical analysis noted above.</p> <p>d. Prior to occupancy of proposed residential uses in Planning Areas 24 and 26, the project applicant shall construct a 15-foot-high sound wall or equivalent physical barrier at the residential property line along the north side of the Route 210 Freeway in order to reduce mobile-source noise to acceptable levels. The specific type and design of the physical barrier to be employed at this location shall be determined by the results of the design-specific acoustical analysis noted above.</p>						

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications					
				Initial	Date	Comments			
<b>Public Services</b>									
<b>Fire Protection Services</b>									
<b>Mitigation Measure M-1:</b> The City shall maintain an average fire response time of 4 to 5 minutes. [GP EIR MM FS-1]	Operation	Ongoing, as needed	Fontana Fire Protection District						
<b>Mitigation Measure M-2:</b> The City shall continue to maintain an ISO fire rating of Class 3. [GP EIR MM FS-2]	Operation	Ongoing, as needed	Fontana Fire Protection District						
<b>Mitigation Measure M-3:</b> The City shall ensure that new fire stations are built in areas of new development so that response times are not eroded. [GP EIR MM FS-3]	Operation	Ongoing, as needed	Fontana Fire Protection District						
<b>Police Protection Services</b>									
<b>Mitigation Measure M-4:</b> The City shall continue to work towards a ratio of 1.4 sworn officers per 1,000 residents. [GP EIR MM P-1]	Operation	Ongoing, as needed	Fontana Police Department						
<b>Mitigation Measure M-5:</b> The Fontana Police Department shall continue to expand its Area Commander Program to more effectively serve specific areas of the City. [GP EIR MM P-2]	Operation	Ongoing, as needed	Fontana Police Department						

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<b>Mitigation Measure M-6:</b> The Fontana Police Department shall expand its Contact Stations to more effectively serve outlying areas. [GP EIR MM P-3]	Operation	Ongoing, as needed	Fontana Police Department			
<b>Mitigation Measure M-7:</b> The Fontana Police Department shall continue its School Resource Officer Program on all current and future middle school campuses. [GP EIR MM P-4]	Operation	Ongoing, as needed	Fontana Police Department			
<b>Mitigation Measure M-8:</b> The Fontana Police Department shall continue its extensive volunteer crime prevention programs, including Citizen Volunteers, Explorers, and Citizens on Patrol, Neighborhood Watch, Police Reserves, and Community Emergency. [GP EIR MM P-5]	Operation	Ongoing, as needed	Fontana Police Department			
<b>Mitigation Measure M-9:</b> The Fontana Police Department shall continue its bilingual incentive program to more effectively serve the Latino community. [GP EIR MM P-6]	Operation	Ongoing, as needed	Fontana Police Department			
<b>Mitigation Measure M-10:</b> The City shall maintain an average police and fire response time of 4 to 5 minutes. [GP EIR MM P-7]	Operation	Ongoing, as needed	Fontana Police Department/Fontana Fire Protection District			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<b>Mitigation Measure M-11:</b> The City shall continue to promote the establishment of Neighborhood Watch programs in residential neighborhoods, aimed at encouraging neighborhoods to form associations to patrol or watch for any suspicious activity. [GP EIR MM P-8]	Operation	Ongoing, as needed	Fontana Police Department			
<b>Mitigation Measure M-12:</b> The City shall incorporate appropriate staffing levels in the annual budget process keyed to City growth in population and employment. [GP EIR MM P-9]	Operation	Ongoing, as needed	City of Fontana/Fontana Police Department			
<b><i>School Facilities</i></b>						
<b>Mitigation Measure M-13:</b> Planning and development in the City shall continue to be integrated with the needs of school districts for new facilities. [GP EIR MM S-1]	Operation	Ongoing, as needed	City of Fontana			
<b>Mitigation Measure M-14:</b> The City shall continue to support local school districts in their efforts to obtain additional funding sources, including special assessment districts and supplementary state and federal funding. [GP EIR MM S-2]	Operation	Ongoing, as needed	City of Fontana			
<b>Mitigation Measure M-15:</b> The City shall establish and maintain effective joint use agreements with school districts	Operation	Ongoing, as needed	City of Fontana			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
serving the community to achieve optimum, cost effective use of school facilities. [GP EIR MM S-3]						
<b>Mitigation Measure M-16:</b> The City shall continue to withhold building permits until verification that applicable school fees have been collected by the appropriate school district. [GP EIR MM S-4]	Post-Construction/Operation	Prior to Issuance of Certificate of Occupancy/ Ongoing, as needed	Community Development Department			
<b>Mitigation Measure M-17:</b> The City shall collaborate with school districts in designing adjacent school/recreation facilities to achieve maximum usability and cost effectiveness for both the City and the school districts. [GP EIR MM S-5]	Operation	Ongoing, as needed	City of Fontana			
<b>Mitigation Measure M-18:</b> The City shall collaborate with school districts in expanding educational opportunities and programs that benefit from City facilities. [GP EIR MM S-6].	Operation	Ongoing, as needed	City of Fontana			
<b>Parks</b>						
<b>Mitigation Measure M-19:</b> A wide variety of parks and recreation facilities, including regional, community, neighborhood and sub-neighborhood parks, shall be provided throughout the City. [GP EIR MM PR-1]	Operation	Ongoing, as needed	Community Services Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<b>Mitigation Measure M-20:</b> The design of all parks shall meet the particular needs of the specialized populations they serve, such as seniors, young adults, families, and children. [GP EIR MM PR-2]	Operation	Ongoing, as needed	Community Services Department			
<b>Mitigation Measure M-21:</b> Barrier-free access to all parks shall be provided. [GP EIR MM PR-3]	Operation	Ongoing, as needed	Community Services Department			
<b>Mitigation Measure M-22:</b> The park standards for the City shall be two-acres per thousand residents for community parks and three-acres per thousand for neighborhood parks. [GP EIR MM PR-4]	Operation	Ongoing, as needed	Community Services Department			
<b>Mitigation Measure M-23:</b> Each park within the City shall provide a variety of activity options for users, including active and passive uses. [GP EIR MM PR-5]	Operation	Ongoing, as needed	Community Services Department			
<b>Mitigation Measure M-24:</b> The City shall reevaluate the design of each of its parks as part of the periodic update of its Parks, Recreation, and Trails Master Plan. [GP EIR MM PR-6]	Operation	Ongoing, as needed	Community Services Department			
<b>Mitigation Measure M-25:</b> Each park within the City shall be evaluated for safety on a periodic basis. [GP EIR MM PR-7]	Operation	Ongoing, as needed	Community Services Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<b>Libraries</b>						
<b>Mitigation Measure M-26:</b> The City shall continue to coordinate its library services with surrounding school districts. [GP EIR MM LS-2]	Operation	Ongoing, as needed	City of Fontana			
<b>Mitigation Measure M-27:</b> The City shall evaluate methods of expanding library services through staffing strategies, technical advancements and facilities design. [GP EIR MM LS-3]	Operation	Ongoing, as needed	City of Fontana			
<b>Transportation/Traffic</b>						
<b>Mitigation Measure N-1:</b> Construct Heritage Circle from Victoria Avenue to Baseline Avenue at its ultimate cross-section width including landscaping and parkway improvements in conjunction with development.	Pre-Construction	Prior to Issuance of Certificate of Occupancy	Community Development Department			
<b>Mitigation Measure N-2:</b> Construct Cherry Avenue from the I-15 Freeway to Walnut Avenue/Victoria Street at its ultimate cross-section width including landscaping and parkway improvements in conjunction with development. Construct Cherry Avenue from Walnut Avenue/Victoria Street to Baseline Avenue at its ultimate half-section width including landscaping and parkway	Pre-Construction	Prior to Issuance of Certificate of Occupancy	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
improvements in conjunction with development.						
<b>Mitigation Measure N-2a:</b> Within five (5) years from the Certificate of Occupancy of any future warehouse in PA 41, the Developer will, subject to eligible fee credits for the construction of master infrastructure improvements, complete construction of Cherry Avenue from the I-15 Freeway to Walnut Avenue/Victoria Street at its ultimate cross-section width, including the median, landscaping and parkway improvements as well as the completion of construction of Cherry Avenue from Walnut Avenue/Victoria Street to Baseline Avenue at its ultimate half-section section width, including the remaining portion of the median, landscaping and parkway improvements.	Pre-Construction	Prior to Issuance of Certificate of Occupancy	Community Development Department			
<b>Mitigation Measure N-3:</b> Construct Summit Avenue from San Sevaine Road to Sierra Lakes Parkway at its ultimate cross-section width including landscaping and parkway improvements in conjunction with development. Construct Summit Avenue from its western project boundary to Lytle Creek Road at its ultimate half-section width including landscaping and parkway	Pre-Construction	Prior to Issuance of Certificate of Occupancy	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
improvements in conjunction with development.						
<b>Mitigation Measure N-4:</b> Construct San Sevaine Road from Summit Avenue to the northern boundary of Planning Area 21 and from Sierra Lakes Parkway to Walnut Avenue at its ultimate half-section width including landscaping and parkway improvements in conjunction with development. Construct San Sevaine Road from the northern boundary of Planning Area 21 to Sierra Lakes Parkway at its ultimate cross-section width including landscaping and parkway improvements in conjunction with development.	Pre-Construction	Prior to Issuance of Certificate of Occupancy	Community Development Department			
<b>Mitigation Measure N-5:</b> Construct Lytle Creek Road from its northern project boundary to Summit Avenue at its ultimate half-section width including landscaping and parkway improvements in conjunction with development.	Pre-Construction	Prior to Issuance of Certificate of Occupancy	Community Development Department			
<b>Mitigation Measure N-6:</b> Construct Sierra Lakes Parkway from Cherry Avenue to San Sevaine Road at its ultimate cross-section width including landscaping and parkway improvements in conjunction with development. Construct Sierra Lakes Parkway from San Sevaine Road to its eastern project	Pre-Construction	Prior to Issuance of Certificate of Occupancy	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
boundary at its ultimate half-section width including landscaping and parkway improvements in conjunction with development.						
<b>Mitigation Measure N-7:</b> Construct Highland Avenue from Victoria Street to San Sevaine Road at its ultimate cross-section width including landscaping and parkway improvements in conjunction with development.	Pre-Construction	Prior to Issuance of Certificate of Occupancy	Community Development Department			
<b>Mitigation Measure N-8:</b> Construct Victoria Avenue from the I-15 Freeway to Cherry Avenue at its ultimate cross-section width including landscaping and parkway improvements in conjunction with development.	Pre-Construction	Prior to Issuance of Certificate of Occupancy	Community Development Department			
<b>Mitigation Measure N-9:</b> Construct Walnut Avenue from Cherry Avenue to San Sevaine Road at its ultimate half-section width including landscaping and parkway improvements in conjunction with development.	Pre-Construction	Prior to Issuance of Certificate of Occupancy	Community Development Department			
<b>Mitigation Measure N-10:</b> Construct Baseline Avenue from its western project boundary to Cherry Avenue at its ultimate half-section width including landscaping and parkway improvements in conjunction with development.	Pre-Construction	Prior to Issuance of Certificate of Occupancy	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<b>Mitigation Measure N-11:</b> Necessary intersection improvement recommendations and proposed phasing of each improvement, which are summarized above in Table 4.N-3 shall be implemented as necessary to address potential project-related traffic impacts. As is the case for any roadway design, the City of Fontana shall periodically review traffic operations in the vicinity of the project once the project is constructed to assure that the traffic operations are satisfactory. The phasing of improvements is summarized in Table 4.N-3. The project shall provide on-site roadways to connect to the existing infrastructure in conjunction with development and consistent with the alignment plan.	Pre-Construction	Prior to Issuance of Certificate of Occupancy	Community Development Department			
<b>Mitigation Measure N-12:</b> Sight distance at the each project access shall be reviewed with respect to the California Department of Transportation/City of Fontana standards in conjunction with the preparation of final grading, landscaping, and street improvement plans.	Pre-Construction	Prior to Issuance of Certificate of Occupancy	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<b>Mitigation Measure N-13:</b> On-site traffic signing and striping shall be implemented in conjunction with detailed construction plans for the project.	Pre-Construction	Prior to Issuance of Certificate of Occupancy	Community Development Department			
<b>Mitigation Measure N-14:</b> Each future development within the Specific Plan boundaries shall provide sufficient parking spaces to meet City of Fontana parking code requirements in order to service on-site parking demand.	Pre-Construction	Prior to Issuance of Certificate of Occupancy	Community Development Department			
<b>Utilities and Service Systems</b>						
<b>Water Supply</b>						
<b>Mitigation Measure O-1:</b> The City shall work closely with water supply agencies to assure the continued supply of water. [GP EIR MM W-1]	Operation	Ongoing, as needed	City of Fontana			
<b>Mitigation Measure O-2:</b> The City shall act to conserve water in whatever cost-effective ways are reasonably available. [GP EIR MM W-2]	Operation	Ongoing, as needed	City of Fontana			
<b>Mitigation Measure O-3:</b> The City shall manage urban runoff to minimize water supply contamination. [GP EIR MM W-3]	Operation	Ongoing, as needed	City of Fontana			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<b>Mitigation Measure 0-4:</b> The City shall collaborate with water management authorities to devise and implement creative and cost-effective water management strategies. [GP EIR MM W-4]	Operation	Ongoing, as needed	City of Fontana			
<b>Mitigation Measure 0-5:</b> The City shall provide educational material to its residents and businesses regarding the critical necessity for careful use of water and management of water systems. [GP EIR MM W-5]	Operation	Ongoing, as needed	City of Fontana			
<b>Sewer</b>						
<b>Mitigation Measure 0-6:</b> The City shall maintain its current Master Plan of Sewers as the basis for development of a sewer system to serve the community. [GP EIR MM WW-1]	Operation	Ongoing, as needed	City of Fontana			
<b>Mitigation Measure 0-7:</b> The City shall design and operate its local and trunk sewer system in close collaboration with the IEUA. [GP EIR MM WW-2]	Operation	Ongoing, as needed	City of Fontana			
<b>Mitigation Measure 0-8:</b> The City shall establish and maintain an aggressive water recycling program. [GP EIR MM WW-3]	Operation	Ongoing, as needed	City of Fontana			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<b>Mitigation Measure 0-9:</b> The City shall devote sufficient financial support for wastewater system maintenance so that current levels of service, health, and safety are sustained or improved. [GP EIR MM WW-4]	Operation	Ongoing, as needed	City of Fontana			
<b>Soild Waste</b>						
<b>Mitigation Measure 0-10:</b> Prior to the issuance of any demolition or construction permit, the Applicant shall provide a copy of the receipt or contract indicating that the construction contractor shall only contract for waste disposal services with a company that recycles demolition and construction-related wastes. The contract specifying recycled waste service shall be presented to the Development Services Department prior to approval of certificate of occupancy.	Pre-Construction	Prior to Issuance of Demolition or Building Permits	Community Development Department			
<b>Mitigation Measure 0-11:</b> In order to facilitate on-site separation and recycling of construction related wastes, the construction contractor shall provide temporary waste separation bins on-site during demolition and construction activities.	Construction	Prior to Issuance of Grading or Building Permits	Community Development Department			

Table 4-1 (Continued)

## Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring and Reporting Phase	Timing	Responsible for Monitoring	Compliance Verifications		
				Initial	Date	Comments
<b>Mitigation Measure 0-12:</b> The City shall continue to maintain a contractual arrangement that achieves maximum recycling rates at a reasonable price. [GP EIR MM SW-1]	Operation	Ongoing, as needed	City of Fontana			
<b>Mitigation Measure 0-13:</b> Where joint programs offer improvement efficiency or reduced cost, the City shall collaborate with other entities in recycling efforts. [GP EIR MM SW-2]	Operation	Ongoing, as needed	City of Fontana			
<b>Mitigation Measure 0-14:</b> The City shall continue to provide services to resident and business citizens that facilitate community cleanup, curbside collections and diversion of oil and other hazardous waste materials. [GP EIR MM SW-3]	Operation	Ongoing, as needed	City of Fontana			
<b>Mitigation Measure 0-15:</b> The City should maintain an aggressive public information program to stimulate waste reduction by its resident and business citizens. [GP EIR MM SW-4]	Operation	Ongoing, as needed	City of Fontana			





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