

# **Upland Memorial Park Revitalization Master Plan Mitigated Negative Declaration**

*Lead Agency:*

City of Upland  
Development Services Department  
460 North Euclid Avenue  
Upland, California 91786



*Prepared for:*

City of Upland  
Development Services Department  
460 North Euclid Avenue  
Upland, California 91786

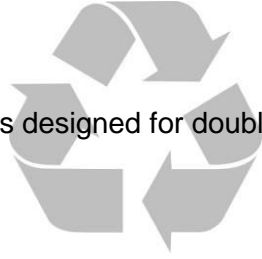
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- This document is designed for double-sided printing -



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# 1 Introduction

The City of Upland (Lead Agency) proposes to implement upgrades and improvements to the existing Memorial Park which is situated on a 40-acre site located between Foothill Boulevard to the north and San Bernardino Avenue to the south, and Grove Avenue to the east and Hospital Parkway to the west in the City of Upland, California. The “Upland Memorial Park Revitalization Master Plan” Project is subject to review under the California Environmental Quality Act (CEQA) 1970 (Public Resources Code §§ 21000, *et seq.*), and the CEQA Guidelines (14 California Code of Regulations §§ 15000, *et. seq.*).

This Initial Study was prepared to assess the short-term, long-term, and cumulative environmental impacts that could result from the Project.

This report was prepared to comply with CEQA Guidelines § 15063, which sets forth the required contents of an Initial Study. These include:

- A description of the Project, including the location of the Project (See Section 2).
- Identification of the environmental setting (See Section 2.10).
- Identification of environmental effects by use of a checklist, matrix, or other methods, provided that entries on the checklist or other form are briefly explained to indicate that there is some evidence to support the entries (See Section 4).
- Discussion of ways to mitigate significant effects identified, if any (See Section 5).
- Examination of whether the Project is compatible with existing zoning, plans, and other applicable land use controls (See Section 4.11); and
- The name(s) of the person(s) who prepared or participated in the preparation of the Initial Study (See Section 6.1).

## 1.1 – Purpose of CEQA

CEQA § 21000 of the California Public Resources Code provides as follows:

The Legislature finds and declares as follows:

- a) The maintenance of a quality environment for the people of this state now and in the future is a matter of statewide concern.
- b) It is necessary to provide a high-quality environment that at all times is healthful and pleasing to the senses and intellect of man.
- c) There is a need to understand the relationship between the maintenance of high-quality ecological systems and the general welfare of the people of the state, including their enjoyment of the natural resources of the state.
- d) The capacity of the environment is limited, and it is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached.
- e) Every citizen has a responsibility to contribute to the preservation and enhancement of the environment.
- f) The interrelationship of policies and practices in the management of natural resources and waste disposal requires systematic and concerted efforts by public and private interests to enhance environmental quality and to control environmental pollution.

- g) It is the intent of the Legislature that all agencies of the state government which regulate activities of private individuals, corporations, and public agencies which are found to affect the quality of the environment, shall regulate such activities so that major consideration is given to preventing environmental damage, while providing a decent home and satisfying living environment for every Californian.

Pursuant to §15074 of the CEQA Guidelines, prior to approving the Project, the City of Upland is required to consider the findings of this Initial Study and to either adopt a Negative Declaration (ND) or a Mitigated Negative Declaration (MND) or determine that an Environmental Impact Report (EIR) is required due to potentially significant, unavoidable environmental impacts. The analysis in this Initial Study supports the conclusion that impacts of this proposed Project will be less than significant with recommended mitigation and that an EIR is not required. Therefore, a Mitigated Negative Declaration (MND) has been determined to be the most appropriate CEQA compliance document for this proposed action.

## **1.2 – Public Comments**

Comments from all agencies and individuals are invited regarding the information contained in this Initial Study. Such comments should explain any perceived deficiencies in the assessment of impacts, identify the information that is purportedly lacking in the Initial Study or indicate where the information may be found. All materials related to the preparation of this Initial Study are available for public review. To request an appointment to review these materials, please contact:

Mike Poland, Planning Manager  
Planning Division  
460 North Euclid Avenue  
Upland, California 91786  
909-931-4135

The Initial Study/Mitigated Negative Declaration (IS/MND) will have a 20-day period of local circulation and review which will run from **May 21 to June 9, 2021**, and all comments will be considered by the City of Upland prior to adoption. All materials related to the preparation of this Initial Study are available for public review. To request an appointment to review these materials, please contact the Planning Division.

## 2 Project Description

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### **2.1 – Project Title**

Upland Memorial Park Revitalization Master Plan IS/MND

### **2.2 – Lead Agency Name and Address**

City of Upland  
Planning Division  
460 North Euclid Avenue  
Upland, California 91786

### **2.3 – Contact Person and Phone Number**

Mike Poland, Contract Planning Manager  
909-931-4135

### **2.4 – Project Location**

The Project site is located south of Foothill Boulevard, north of San Bernardino Avenue, west of Hospital Parkway, and east of Grove Avenue and is approximately 1.25 miles north of Interstate 10 (I-10) and approximately 1.9 miles south of State Route 210 (SR-210) in the City of Upland, San Bernardino County (See Exhibit 1, Regional Context Map). The Project site is comprised of six developed parcels totaling 40-acres (See Exhibit 2, Project Vicinity Map).

- Latitude 34° 6' 21.94" North, Longitude 117° 38' 03.98" West (centroid of the park)
- APNs: 1046-21-01, 1046-21-03, 1046-131-03, 1046-131-04, 1046-183-10, and 1046-183-01.

### **2.5 – Project Sponsor's Name and Address**

City of Upland  
Development Services Department  
460 North Euclid Avenue  
Upland, California 91786

### **2.6 – General Plan Land Use Designation**

The Project site is designated Park/Open Space (P-OS)

### **2.7 – Zoning District**

The City of Upland Zoning Ordinance designates the site as Open Space (OS)

## 2.8 – Project Characteristics

### Current Site Conditions

The 40-acre Project site (Memorial Park) is developed with onsite structures and amenities, which consist of a YMCA building located in the northwest portion of the site, the Upland Animal Shelter in the central-eastern portion of the site, two lighted ballfield(s) in the northeast portion of the site, a lighted ballfield in the south of the site, a lighted basketball court in the southeastern portion of the site, and a skate park located in the southern portion of the site. The Project site also contains playground equipment, picnic areas, a bandshell, and parking areas located throughout the Project site. The Project site is landscaped with various types of tree species, ground cover, and a designated rose garden within the central north portion of the site.

### Proposed Upgrades and Improvements

The City is proposing to mainly upgrade and rehabilitate existing facilities throughout the park, although some new facilities will be added to meet current community recreational needs. While it is anticipated construction of all the planned improvements may take up to three years, a construction time of one year was assumed as a “worst case” estimate for potential impacts in Section 4. The proposed improvements and upgrades to the existing Memorial Park site are shown in Exhibit 3, Site Plan, and are generally described as follows:

- A new children’s adventure playground (equipment for separate age groups 2-5 years old and 5-12 years old) that will be handicapped accessible. The playground is proposed to be located within the central northern portion of the site and in addition to the playground equipment, the area will also contain parent seating area with shade trellis. The existing memorial cannon and flag court will also be restored.
- New parking area located along the northern portion of the site and will consist of permeable paving at stalls, preservation and restoration of the existing oak lined “bridle path”, and a drought tolerant pollinator’s garden using native plants.
- The existing rose garden, which is located in the northern portion of the site, will be upgraded to include a new centralized gazebo shade structure with multiple picnic tables/trash receptacles in addition to incorporating additional bench seating areas and concrete accessible walkways to the gazebo.
- A new central greenbelt and outdoor amphitheater, located in the central portion of the site, that will consist of a decomposed granite oak woodland trail and preservation and restoration of the oak lined “bridle path” with both trails circulating along the perimeter of the site.
- A new splash pad water play area with separate equipment for toddlers and pre-teen/teens is proposed in the southwestern portion of the site, directly north of the existing southerly ballfield. The splash pad will have a new restroom building with required facilities, parent picnic table seating areas, colorful shade sails over splash pad zone, and the adjacent parking area will be reconfigured to provide for ADA accessibility.
- A new open turf grass play area, which will involve the removal of existing asphalt parking lot (approximately 1.25-acres) and conversion to open recreational play area in addition to multiple new picnic areas and informal turf grass bermed area. The proposed grass turf area will be located in the western portion of the site, directly south of the existing YMCA building.
- The renovation of the Atwood Kitchen Group Picnic Area, located directly to the south of the new open turf grass play area consisting of new table seating, flexible court gaming area

(horseshoe pits, cornhole, ping pong, hammock poles), and a lockable Santa Maria Barbeque Pit.

- New expanded parking area along the east side of the park including undergrounding an existing drainage channel, new parking shade tree diamond planters, and new parking with permeable paving and a bioswale.
- Refurbishing existing and adding new picnic areas to be distributed throughout the site with trash receptacles.
- A new drought tolerant native plant garden near the animal shelter and the Landecena Community Center with a new plant garden and modified drip irrigation and educational interpretive panels at key locations
- Upgrades to the existing skate park, located in the southern portion of the site, with new expansion area for varied levels of experience. The skate park will consist of an expanded fenced perimeter and controlled access, a spectator overlooks area and large connected shade structures, and the opportunity for artwork display and/or educational panels on history of skating in Upland.
- The expansion of the Landecena building for a multi-use recreational facility, located in the southeastern portion of the site, and the expansion will consist of a teen center/community recreation room and the expansion of the adjacent parking lot.
- A new bioswale and bio-retention zone(s) for storm water collection and infiltration and will be located in the southwestern portion of the site.
- Renovation of the existing restroom facilities to modernize to meet ADA accessibility, repair or replace toilets, lavatories, and hand dryers as needed. The existing restrooms will be painted with anti-graffiti coating.
- New group shade structures adjacent to the Landecena Community Center including picnic tables and trash receptacles, pinata poles, and ADA compliant drinking fountains.
- Upgrades to the existing southerly ballfield that will include permeable parking designed to preserve existing oak trees, and including new shade canopies for bleachers, and a new bioswale infiltration zone.
- The restoration of the oak-lined “bridle path” which will consist of controlled vehicle access gates, vertical mulching for existing oaks, removal of parking and asphalt, new oak tree planting and the preservation of existing oak trees, and the permeable “bridle path” for community events, staging and ADA access.
- The incorporation of a new decomposed granite, exercise trail system and connection paths, which will be approximately two miles of new pathways with benches, and two main looped exercise trails (oak woodland and site perimeter).
- The restoration of an open turf play area with new picnic zones directly to the west of the Upland Animal Shelter and will preserve the existing trees and update the existing irrigation system.
- A new outdoor fitness court “outdoor gym”, located in the northeastern portion of the site that will contain multi-age fitness programs, shock resistant flooring surface, and the opportunity for civic art display.
- The demolition and construction of a tiny new tots building, located south of the YMCA building; and,

*Project Description*

New LED lighting and security cameras to replace older lighting plus new drought tolerant landscaping and irrigation.

Access and Circulation

Access to the Project site is from a dual access driveway located along Foothill Boulevard a thirty-foot driveway along 11<sup>th</sup> Street (western portion of the site), and two driveways, both of which are twenty-two feet in width and are located along San Bernardino Avenue. The primary access points will remain the same as at present although some parking areas will be upgraded and expanded as needed. In addition, there will no longer be through access within the park to prevent cut-through traffic.

Grading and Drainage

Grading and drainage tends to slope in a southerly direction and surface runoff from the park is collected in City catch basin and inlets to the regional storm drain system. The overall grading and drainage of the site will remain relatively the same as existing although a bioswale will be added to protect water quality in the southwestern portion of the site.

Utilities

Water to the site is supplied by the City of Upland, and lines will be provided by lateral connections from 11<sup>th</sup> Street and Foothill Boulevard to an internal loop system. Wastewater discharges from the site will occur through internal sewer mains connecting to an existing eight-inch sewer line in 11<sup>th</sup> Street that connects to the existing trunk sewer in Dewey Way. Sewer mains are maintained by the City of Upland and wastewater is treated at the Inland Empire Utilities Agency Regional Plant No.1 (RP-1). The proposed upgrades and improvements will not require new or substantially expanded utility services.

**2.9 – Surrounding Land Uses**

The proposed Project is surrounded by commercial uses to the north, office and residential to the south, commercial and multi-family residential to the east, and commercial, single-family residential, and a hospital to the west (see Table 1).

**Table 1  
Surrounding Land Uses**

<b>Direction</b>	<b>General Plan Designation</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
Project Site	Park/Open Space (P-OS)	Open Space	Memorial Park
North	Commercial/Office (C/O)	Commercial/Office Mixed-Use (C/O-MU)	Commercial shopping center
South	Office/Professional (OP) Mobile Home (MH)	Mobile Home Park (MH) Office Professional (OP)	Office Mobile Home Park
East	Commercial/Office (C/O) Multi-Family Residential: Low (10-20 du/ac MRF-L)	Highway Commercial (HC) Multi-family Residential (RM-20)	Commercial strip mall Multi-Family Residential
West	Medium (4-10 du/ac SRF-M) Institutional (I)	Public (PB) Single-Family Residential (RS-7.5) Commercial/Office Mixed-Use (C/O-MU)	Commercial strip mall Single-Family Residential Hospital

## **2.10-Environmental Setting**

The Project site is bordered by commercial uses to the north, office and a mobile home park to the south, commercial and multi-family residential land uses to the east, and commercial, single-family residential, and a hospital to the west. The Project site is a 40-acre City park which contains baseball/softball field, basketball court, picnic tables/shelters, a skate park, barbeque facilities, a day care center, band shell, and a playground. Existing parking is located in the western, eastern, and southern portion of the site. The park is landscaped with ground cover (i.e., grass) oak trees, and a rose garden in the northern portion of the site. The site slopes slightly from north to south with an elevation ranging from approximately 1,300 feet above mean sea level (AMSL) at the northwest corner down to 1,256 feet AMSL along the southern boundary of the site.

## **2.11-Required Approvals**

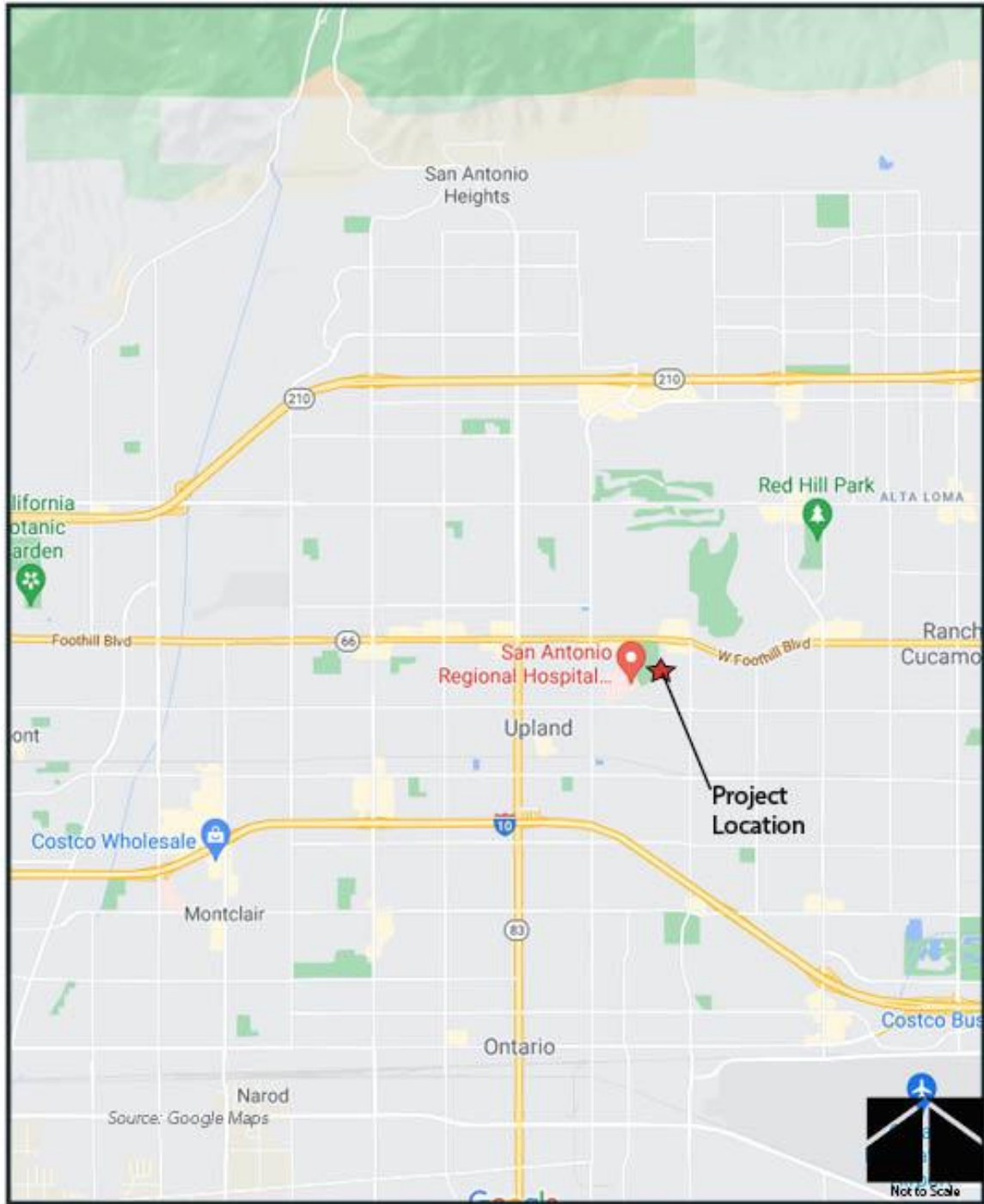
The existing Memorial Park use, and planned upgrades are permitted by right within the underlying General Plan Land Use and Zoning Classifications. The Project will require the following approvals:

- Conceptual Park Improvement Plans; and
- Mitigated Negative Declaration

## **2.12- Other Public Agency Whose Approval is Required**

- None

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Source: Google Maps  
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### Exhibit 1 Regional Context Map

Memorial Park Project  
Upland, California



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*Admin Draft*



Project Site

Source: Google Earth



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## Exhibit 2 Project Vicinity Map

Memorial Park  
Upland, California

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## Exhibit 1b Park Improvement List

### CONCEPTUAL LEVEL SITE PLAN FEATURE LEGEND

- ① **NEW CHILDREN'S ADVENTURE PLAYGROUND (EQUIPMENT FOR SEPARATE AGE GROUPS 2-5 YRS. AND 5-12 YRS.)**
    - PARENT SEATING AREAS WITH SHAPE TRELLIS
    - RESTORED MEMORIAL GANNON & FLAGCOURT
    - NEW ACCESSIBLE EQUIPMENT
    - NEW RUBBERIZED TILED PLAY SURFACING
  - ② **NEW PARKING AREA AT NORTH**
    - PERMEABLE PAVING AT STALLS
    - DROUGHT TOLERANT POLLINATOR'S GARDEN USING NATIVE PLANTS
    - PRESERVATION & RESTORATION OF OAK LINED "BRIDLE PATH"
  - ③ **EXISTING ROSE GARDEN**
    - NEW CENTRALIZED BAZOZO SHAPE STRUCTURE WITH MULTIPLE PICNIC TABLES/TRASH RECEPTACLES
    - ADDITIONAL BENCH SEATING AREAS & CONCRETE ACCESSIBLE WALKWAYS TO BAZOZO
  - ④ **NEW CENTRAL GREENBELT & OUTDOOR AMPHITHEATER**
    - NEW AMPHITHEATER & MEMORIAL GARDEN
    - PRESERVATION & RESTORATION OF OAK LINED "BRIDLE PATH"
    - RECOMPOSED GRANITE OAK WOODLAND TRAIL
    - CONTROLLED VEHICLE ACCESS (EVA ONLY AND SPECIAL EVENTS)
  - ⑤ **NEW SPLASH PAD WATER PLAY AREA (SEPARATE EQUIPMENT FOR TODDLERS & PRE-TEEN/TEENS)**
    - PARENT PICNIC TABLE SEATING AREAS
    - COLORFUL SHAPE SAILS OVER SPLASH PAD ZONE
    - NEW PARKING FOR ADA ACCESSIBILITY
  - ⑥ **NEW OPEN TURF GRASS PLAY AREA**
    - REMOVAL OF EXISTING ASPHALT PARKING LOT (APPROX. 1.25 ACRES) & CONVERSION TO OPEN RECREATIONAL PLAY AREA
    - RECOMPOSED GRANITE LOOPED TRAIL
    - MULTIPLE NEW PICNIC AREAS & INFORMAL TURF GRASS BERMED AREA
  - ⑦ **RENOVATED ATWOOD KITCHEN & GROUP PICNIC AREA**
    - RENOVATED ATWOOD KITCHEN & NEW TABLE SEATING
    - LOCKABLE SANTA MARIA BARBECUE PIT
    - FLEXIBLE COURT & AMINO ACID AREA (HOESE SHOE FITS/SORNHOLE/PINB POND/HAMMOCK POLES)
  - ⑧ **DEMOLISH EXISTING TINY TOTS BUILDING AND CONSTRUCT NEW TINY TOTS BUILDING AND PLAY YARD**
    - PRESERVED EXISTING TREES
  - ⑨ **NEW MULTI-SPORT PLAYFIELD FOR BASEBALL/SOFTBALL/SOCCER/FUTSAL/OPEN PLAY**
    - ARTIFICIAL TURF FOR DURABILITY & LINE MARKINGS
    - FENCED PERIMETER WITH ACCESS GATES
    - SPECTATOR BLEACHER SEATING
    - PICNIC AREAS & INFORMAL BERMED TURF GRASS AREA FOR SPECTATORS
  - ⑩ **NEW EXPANDED PARKING AREA ALONG EAST SIDE OF PARK**
    - UNDERGROUND EXISTING DRAINAGE CHANNEL
    - NEW PARKING WITH PERMEABLE PAVING & BIOSWALE
    - NEW PARKING SHAPE TREE PLANTING
    - TRAFFIC CALMING DEVICES
  - ⑪ **NEW PICNIC AREAS**
    - MULTIPLE PICNIC AREAS THROUGHOUT PARK
    - TRASH RECEPTACLES & POODIE PICKUP STATIONS STRATEGICALLY PLACED
  - ⑫ **NEW DROUGHT TOLERANT NATIVE PLANT GARDEN AT ANIMAL SHELTER & LANPECENA COMMUNITY CENTER**
    - NEW PLANT GARDEN AND MOISTURE DEFICIT IRRIGATION
    - EDUCATIONAL INTERPRETIVE PANELS AT KEY LOCATIONS
  - ⑬ **EXISTING SKATE PARK WITH NEW EXPANSION AREA FOR VARIOUS LEVELS OF EXPERIENCE**
    - EXPANDED FENCED PERIMETER & CONTROLLED ACCESS
    - SPECTATOR OVERLOOK AREAS & LARGE CONNECTED SHAPE STRUCTURE
    - OPPORTUNITY FOR ART/WORK DISPLAY AND/OR EDUCATIONAL PANEL ON HISTORY OF SKATING IN UPLAND
  - ⑭ **EXPANSION OF LANPECENA BUILDING FOR MULTI-USE RECREATIONAL FACILITY**
    - TEEN CENTER/COMMUNITY RECREATION ROOMS
    - PARKING LOT EXPANSION TO EXISTING
  - ⑮ **NEW BIOSWALE AND BIO-RETENTION ZONES FOR STORM WATER COLLECTION AND INFILTRATION**
  - ⑯ **RENOVATED RESTROOM FACILITIES**
    - MODERNIZE TO MEET ADA ACCESSIBILITY
    - REPAIR/REPLACE TOILETS/LAVATORIES/HAND DRYERS AS NEEDED
    - ANTI-GRAFFITI COATING
  - ⑰ **NEW GROUP SHAPE STRUCTURES**
    - MULTIPLE PICNIC TABLES & TRASH RECEPTACLES
    - ADA COMPLIANT SPRINKLING FOUNTAINS
    - PINATA POLES
  - ⑱ **NEW PERMEABLE PARKING AT EXISTING BALLFIELD**
    - PRESERVATION OF EXISTING OAKS
    - NEW BIOSWALE INFILTRATION ZONE
    - NEW SHAPE CANOPIES FOR BLEACHERS
  - ⑲ **RESTORED OAK-LINED "BRIDLE PATH"**
    - CONTROLLED VEHICLE ACCESS GATES
    - REMOVAL OF PARKING & ASPHALT ROADWAY (APPROX. 1.5 ACRES)
    - VERTICAL MULCHING FOR EXISTING OAKS
    - PRESERVATION & NEW OAK TREE PLANTING TO RESTORE ORIGINAL DESIGN
    - PERMEABLE "BRIDLE PATH" FOR COMMUNITY EVENTS, SEATING & EVA ACCESS
  - ⑳ **NEW RECOMPOSED GRANITE EXERCISE TRAIL SYSTEM AND CONNECTION PATHS**
    - OVER 2 MILES OF NEW PATHWAYS WITH BENCHES
    - TWO MAIN LOOPED EXERCISE TRAILS (OAK WOODLAND & PERIMETER)
  - ㉑ **RESTORED OPEN TURF PLAY AREA WITH NEW PICNIC ZONES**
    - PRESERVED EXISTING TREES
    - UPDATED IRRIGATION SYSTEM
  - ㉒ **NEW OUTDOOR FITNESS COURT "OUTDOOR GYM"**
    - MULTI-AGE FITNESS PROGRAMS
    - PROGRESSIVE TRAINING FOR A VARIETY OF SKILL LEVELS & ABILITIES
    - SHOCK RESISTANT FLOORING SURFACE
    - OPPORTUNITY FOR CIVIC ART DISPLAY
- ADDITIONAL PARKWIDE IMPROVEMENTS:**
- NEW LED LIGHTING & SECURITY CAMERAS
  - NEW DROUGHT TOLERANT LANDSCAPING AND IRRIGATION

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### Exhibit 3B Improvement List

Memorial Park Project  
Upland, California

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## 3 Determination

### **3.1 – Environmental Factors Potentially Affected**

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a 'Potentially Significant Impact' as indicated by the checklist on the following pages.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture Resources	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Energy
<input type="checkbox"/>	Geology /Soils	<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards & Hazardous Materials
<input type="checkbox"/>	Hydrology / Water Quality	<input type="checkbox"/>	Land Use / Planning	<input type="checkbox"/>	Mineral Resources
<input type="checkbox"/>	Noise	<input type="checkbox"/>	Population / Housing	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Recreation	<input type="checkbox"/>	Transportation/Traffic	<input type="checkbox"/>	Tribal Cultural Resources
<input type="checkbox"/>	Utilities / Service Systems	<input type="checkbox"/>	Wildfire	<input type="checkbox"/>	Mandatory Findings of Significance

### **3.2 – Determination**

<input type="checkbox"/>	I find that the Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	I find that although the Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	I find that the Project MAY have a 'potentially significant impact' or 'potentially significant unless mitigated' impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

Name: Mike Poland, Contract Planning Manager

Date

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## 4 Evaluation of Environmental Impacts

### 4.1 – Aesthetics

Would the Project:

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

**a) Less Than Significant Impact.** The Project proposes improvements to the existing onsite recreational amenities and buildings/structures as well as to reconfigure the existing parking lot. In addition, the Project proposes additional buildings/structures and recreational amenities such as but not limited to, an amphitheater, a tiny tots building, new playground equipment, play fields, recreational courts/fields and picnic seating areas. The proposed improvements and development will not result in a significant impact to a scenic vista as the Project site is not located within the City’s designated Scenic Corridor Overlay Zone and the site is within a developed area where views of the surrounding mountains are partially blocked. Views of the neighboring mountains will not be completely blocked as the mountains are visible from the northern and central areas of the site and the only area in which the mountain views could be partially blocked is within the southern portion of the site due to the existing structures, landscaping, and topography of the site. Onsite views could also be partially obstructed through the incorporation of the amphitheater depending on location. Based on the size of the Project site and all planned improvements, views will not be substantially

obstructed by any planned improvements and views on and off the site will remain as they currently exist. Impacts will be less than significant, and no mitigation is required.

**b) Less Than Significant Impact.** The Project site is not located adjacent to a designated state scenic highway or eligible state scenic highway according to the California Department of Transportation (Caltrans) Scenic Highway Program website. The City of Upland's General Plan recognizes the scenic and historical value of Foothill Boulevard, which is part of Historical Route 66, and is Upland's most important east-west visual corridor. The Project site is directly south of Foothill Boulevard and has been previously developed as an outdoor recreational park facility with onsite amenities and buildings/structures. The perimeter of the Project site is landscaped with various trees and ground cover and the only building which is significantly visible from Foothill Boulevard is the YMCA building located in the northwestern portion of the site. The YMCA building is an existing improvement, and the Project does not include any improvements or alterations. The existing and proposed amenities and buildings/structures will be adequately setback from the perimeter of the Project site and the perimeter landscaping will further reduce potential visual impacts along Foothill Boulevard. The proposed development and improvements will have a less than significant impact and no mitigation is required.

**c) Less Than Significant Impact.** The Project site is located within an urbanized area and surrounded by commercial uses to the north, commercial and residential uses to the east and south, and commercial and residential uses and hospital to the west. The City has a Scenic Corridor Overlay; however, the Project site is not located within the designated Overlay and will not have on the Scenic Corridor Overlay Corridor. The Project will not significantly impact any zoning requirements pertaining to scenic quality as the existing and proposed buildings and structures will be adequately setback from the perimeter of the site and will be further screened by landscaping and existing buildings which are not part of the Project (i.e., the YMCA building). The impact will be less than significant, and no mitigation is required.

**d) Less Than Significant Impact.** The Project site is situated in a developed area which is bordered by multi-family residential and commercial land uses and the area contains freestanding streetlights, light fixtures on buildings, pole-mounted lights, and traffic signals. The Project site contains existing light fixtures which line the existing walking paths, parking areas, and adjacent to the recreational sports lighted fields and a skate park. The Project includes new LED lighting as part of the parkwide improvement scope and all new and existing lighting fixtures will be required to adhere to the City's design standards which will reduce potential light glare spillover to the adjacent properties. The Project does not propose sports lighting of any of the ballfields which already have lights. Impacts will be less than significant, and no mitigation is required.

## 4.2 – Agriculture and Forest Resources

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

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

**a) No Impact.** As noted on the “Important Farmland Finder” page on the California Department of Conservation website, the Project site and surrounding area is located in an urban area and not within an area which is designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (DOC 2021a). Since the Project site is located within an urban area, previously developed, and not in an area designated for farmland conversation the Project will have no impact.

**b) No Impact.** The California Department of Conservation indicates that no Williamson Act contract is active on the Project site as the site was previously developed as a recreational park facility with supportive amenities and buildings/structures (DOC 2021b). The incorporation of upgrades and the development of additional buildings/structures will not result in an expansion of the existing use nor conflict with a Williamson Act Contract, as no contract exists on site. The Project will not conflict with an agricultural use or a Williamson Act Contact.

**c) No Impact.** The Project site and surrounding properties are not currently being managed or used for forest land as identified in Public Resources Code Section 12220(g)(CALFIRE 2021). The City of Upland Municipal Code does not contain any zones specifically for forest use or the production of forest sources. The Project site was previously developed and is used as a recreational park facility with supportive amenities and buildings/structures. The Project site has already been disturbed and there is no potential to affect a timberland zoning so no impact will occur.

**d) Less Than Significant Impact.** The Project site has been previously disturbed with existing buildings/structures and amenities and the perimeter and interior of the site is landscaped with various trees and ground cover. The Project site does contain a large number of existing oak trees and although the City does not have a tree preservation ordinance, it is a goal of the Project to retain as many of the existing oak trees on the Project site as possible. The Project has a less than significant impact as the site does not contain designated forest land or forest activities and the Project proposes to retain the oak trees on site.

**e) No Impact.** The Project site is located in an urban area and is surrounded by commercial and residential uses to the north, south, east, and west, and there is a hospital to the west of the site. The Project site is an existing recreational park, and the Project proposes improvements to the existing onsite recreational amenities and buildings/structures as well as to reconfigure the existing parking lot. In addition, the Project proposes additional buildings/structures and recreational amenities such as but not limited to, an amphitheater, a tiny tots building, new playground equipment, play fields, recreational courts/fields and picnic seating areas. The proposed development and improvements will not conflict with an agricultural zoning classification as the Project site, or the neighboring areas are not designated for agricultural use.

The Project site and the neighboring areas are not utilized for agriculture and the Project will not change the existing environment in a manner that will result in the conversion of forest land to a non-forest use. The Project site remains in generally the same condition and no new or more significant impacts will occur as a result of the proposed Project.

### 4.3 – Air Quality

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

Would the Project:

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

**a. No Impact.** The project is located with the City of Upland, which is part of the South Coast Air Basin (Basin). The Basin includes all of Orange County and portions of Los Angeles, Riverside, and San Bernardino Counties. Air Quality within the Basin is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD).

Both the State of California and the federal government have established health-based ambient air quality standards (AAQS) for seven air pollutants (known as criteria pollutants). These pollutants include ozone (O<sub>3</sub>), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), inhalable particulate matter with a diameter of 10 microns or less (PM<sub>10</sub>), fine particulate matter with a diameter of 2.5 microns or less (PM<sub>2.5</sub>), and lead (Pb). The state has also established AAQS for additional pollutants. The AAQS are designed to protect the health and welfare of the populace within a reasonable margin of safety. Where the state and federal standards differ, California AAQS (CAAQS) are more stringent than the national AAQS (NAAQS). The U.S. Environmental Protection Agency (U.S. EPA), California Air Resources Board (CARB), and the SCAQMD assess the air quality of an area by measuring and monitoring the amount of pollutants in the ambient air and comparing pollutant levels against NAAQS and CAAQS. Based on these comparisons, regions are classified into one of the following categories: Attainment, Nonattainment, or Unclassified. The Basin is currently in nonattainment for State and Federal 1- and 8-hour Ozone, State 24-hour and Annual PM<sub>10</sub>, and partial nonattainment for lead.

A project that conflicts with or obstructs the implementation of the SCAQMD’s 2016 Air Quality Management Plan (AQMP) could hinder implementation of the AQMP, delay efforts to meet attainment

deadlines, and/or interfere with SCAQMD efforts to maintain compliance with, and attainment of, applicable air quality standards. Pursuant to the methodology provided in Chapter 12 of the SCAQMD *CEQA Air Quality Handbook*, consistency with the AQMP is affirmed if the project:

- 1) Is consistent with the growth assumptions in the AQMP; and
- 2) Does not increase the frequency or severity of an air quality standards violation or cause a new one.

Consistency Criterion 1 refers to the growth forecasts and associated assumptions included in the 2016 AQMP. The 2016 AQMP was designed to achieve attainment for all criteria air pollutants within the Basin while still accommodating growth in the region. Projects that are consistent with the AQMP growth assumptions would not interfere with attainment of air quality standards, because this growth is included in the projections used to formulate the AQMP. The proposed Project would involve improvements to an existing local park. It would not increase population or employment in the City or otherwise affect growth assumption accounted for in the SCAG 2016 RTP/SCS (SCAG, 2016). Therefore, the proposed Project would not exceed the growth assumptions contained in the AQMP.

Consistency Criterion 2 refers to the CAAQS. In developing its CEQA significance thresholds, the SCAQMD considered the emission levels at which a project's individual emissions would be cumulatively considerable (SCAQMD, 2003; page D-3). As described under b) below, the proposed Project would not generate construction or operational emissions in excess of SCAQMD criteria air pollutant thresholds.

For the reasons described above, the proposed Project would not conflict with the SCAQMD 2016 AQMP. There will be no impact and no mitigation is required.

**b. Less Than Significant Impact.** The proposed Project will generate both short-term construction emissions and long-term operational emissions. The SCAQMD adopts rules that establish permissible air pollutant emissions levels for a variety of business, processes, operations, and products subject to Federal and State air quality requirements. In general, the proposed Project and its potential emissions sources will be subject to a number of SCAQMD rules, including, but not limited to, Rule 401 (Visible Emissions), Rule 402 (Nuisance), Rule 403 (Fugitive Dust), Rule 1108 (Cutback Asphalt), Rule 1113 (Architectural Coatings), and Rule 1143 (Consumer Paint Thinners and Multi-Purpose Solvents). These SCAQMD rules will serve to limit and control the proposed Project's potential to emit air pollutants.

**Construction.** The construction of the potential park improvements would generate equipment exhaust and dust emissions from the use of heavy-duty off-road equipment during construction activities (e.g., clearing, site preparation, grading, paving, architectural coating activities), as well as worker and vendor vehicle trips. The proposed Project's potential construction emissions were modeled using CalEEMod, Version 2016.3.2 (see Appendix A). The Project's construction phases, duration, and the type and amount of equipment used during construction was generated using CalEEMod default assumptions, and modified to reflect the following Project-specific characteristics:

- **Demolition:** The model was updated to reflect there would be up to approximately 4,500 square feet of building space demolished (the existing Tiny Tot building).
- **Limited Building Construction Activities:** The proposed project would involve minor park improvements and would not require substantial building construction activities.
- **Fugitive Dust Abatement During Construction:** The model was updated to reflect compliance with the watering requirements of SCAQMD Rule 403 during construction activities.

The proposed Project’s maximum daily unmitigated construction emissions are shown in Table 2, Construction Emissions. The construction emissions estimates incorporate measures to control and reduce fugitive dust as required by SCAQMD Rule 403. The City has a standard condition of approval (COA) regarding compliance with Rule 403. Implementation of this standard condition is considered regulatory compliance and not unique mitigation under CEQA.

As shown in Table 2, the proposed Project’s maximum daily unmitigated construction emissions would be below the SCAQMD’s regional pollutant thresholds for all pollutants. Therefore, the proposed Project would not generate significant construction-related emissions and no mitigation is required.

**Table 2  
Construction Emissions (Year 2023)**

Construction Season	Maximum Daily Construction Emissions (Pounds/Day)					
	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Summer 2023	6.4	34.6	28.8	0.1	9.6	5.7
Winter 2023	6.4	34.6	28.6	0.1	9.6	5.7
SCAQMD Threshold	75	100	550	150	150	55
<i>Exceeds Threshold?</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>

Source: MIG, 2021b (see Appendix A)

**Operation.** Once constructed, the proposed Project would generate operational emissions from additional vehicle trips, new asphalt surfaces, etc. The proposed Project’s potential operations emissions were also modeled using CalEEMod, Version 2016.3.2 (see Appendix A). The emissions presented are for the proposed Project’s first full year of operation, which is presumed to be 2024. Default CalEEMod trip generation rates were replaced with the project-specific trip generation information contained in the scoping agreement prepared for the proposed project by Ganddini Group and reviewed and approved by the City (Ganddini Group, 2021b). The default trip distance was also reduced to account for the local-serving nature of Upland Memorial Park. As shown in Table 3, the proposed Project’s maximum daily unmitigated operational emissions would be below the SCAQMD’s regional pollutant thresholds for all pollutants.

**Table 3  
Operation Emissions (Year 2024)**

Source	Maximum Daily Operational Emissions (Pounds/Day) <sup>1,2</sup>					
	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Area	0.1	0.0	0.0	0.0	0.0	0.0
Energy	0.0	0.0	0.0	0.0	0.0	0.0
Mobile	1.9	4.1	18.2	0.1	4.9	1.3
Total	2.0	4.1	18.2	0.1	4.9	1.3
SCAQMD Threshold	55	55	550	150	150	55
<i>Exceeds Threshold?</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>

Source: MIG, 2021b (see Appendix A).  
<sup>1</sup> 0.0 means greater than zero but less than 0.05.  
<sup>2</sup> Maximum daily ROG, CO, SO<sub>x</sub> emissions occur during the summer while maximum daily NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions occur during the winter.

**Summary.** In developing its CEQA significance thresholds, the SCAQMD considered the emission levels at which a project’s individual emissions would be cumulatively considerable (page D-3, SCAQMD 2003a). The preceding analysis demonstrates the proposed Project’s construction and operational emissions would be below applicable SCAQMD regional thresholds for criteria air pollutants. Therefore, the proposed Project would not result in a cumulatively considerable increase in criteria air pollutants and no mitigation is required.

**c. Less Than Significant.** The SCAQMD identifies sensitive receptors as populations more susceptible to the effects of air pollution than the general population. Some people are more affected by air pollution than others. Sensitive air quality receptors include specific subsets of the general population that are susceptible to poor air quality and the potential adverse health effects associated with poor air quality. Both the California Air Resources Board (CARB) and the SCAQMD consider residences, schools, parks and playgrounds, childcare centers, athletic facilities, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes to be sensitive air quality land uses and receptors.

There potentially sensitive air quality receptors adjacent to or near (within 1,000 feet of) Upland Memorial Park include Memorial Park visitors, patrons to the Scheu Family YMCA of Upland (adjacent to the park’s northwest boundary), patients at the San Antonia Community Hospital and associated facilities (adjacent to the park’s southwest boundary), and residential areas located to the east and southwest of the park (accessed via Foothill Boulevard and San Bernardino Avenue).

The proposed Project would generate both short-term construction emissions and long-term operational emissions that could impact sensitive residential receptors located near the Project; however, due to the nature of the proposed Project (minor park improvements), substantial pollutant concentrations would not occur.

**Localized Significance Thresholds – Construction.** The proposed Project’s maximum daily construction emissions are compared against the SCAQMD’s-recommended Localized Significance Thresholds (LSTs) in Table 4. The LSTs are for Source Receptor Area (SRA) 32 which is the Northwest San Bernardino Valley in which the proposed Project is located. Construction emissions were estimated against the SCAQMD’s thresholds for a 5-acre project size. A receptor distance of 25 meters was used to evaluate impacts at sensitive residential receptor locations for construction activities. The results in Table 4 show emissions for each discreet time period of construction compared to the LST thresholds - the values are not additive. As shown in Table 4, emissions from construction activities at the Project site will not exceed the SCAQMD recommended LSTs for SRA 32. Construction-related LST impacts will therefore be less than significant, and no mitigation is required.

**Table 4  
Construction Emissions LST Analysis**

Construction Source	Maximum Onsite Pollutant Emissions (Pounds/Day) <sup>1</sup>			
	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Demolition	21.5	19.6	1.2	1.0
Site Preparation	27.5	18.2	9.4	5.6
Grading	34.5	28.1	5.3	2.9
Building Construction	14.4	16.2	0.7	0.7
Paving	10.2	14.6	0.5	0.5
Architectural Coating	1.3	1.8	0.1	0.1
SCAQMD LST Threshold	270	2,193	16	9
<i>Threshold Exceeded?</i>	No	No	No	No

Source: MIG, 2021b (see Appendix A).  
<sup>1</sup> Emissions presented are worst-case emissions and may reflect summer or winter emissions levels. In general, due to rounding, there is no difference between summer and winter emissions levels for the purposes of this table.

**Localized Significance Thresholds – Operation.** The SCAQMD’s LST methodology is generally applicable to a project where emission sources occupy a fixed location. The LST methodology is generally not applicable to the operational phase of a project because emissions are primarily generated by mobile sources traveling on local roadways over potentially large distances or areas. The LST

methodology will only apply to the operational phase of a project if it includes stationary sources or attracts mobile sources that may spend long periods queuing and idling at the site (SCAQMD, 2005). The proposed project includes improvements to the existing Upland Memorial Park. It would not involve stationary sources of emissions or attract a substantial number of vehicles that would queue or idle at the Park. Therefore, the proposed Project would not result in operational emissions that exceed LST thresholds or otherwise result in substantial pollutant concentrations. Operation-related LST impacts will be less than significant, and no mitigation is required.

**CO Hotspots.** CO modeling was conducted for the SCAQMD's 2003 AQMP at four busy intersections during morning and evening peak hour periods as well. The busiest intersection studied in this analysis, Wilshire Boulevard and Veteran Avenue, had 8,062 vehicles per hour during morning peak hours, 7,719 vehicles per hour during evening peak hours, and approximately 100,000 vehicles per day. The 2003 AQMP estimated that the 1-hour CO concentration for this intersection was 4.6 ppm, which is less than a fourth of the 1-hour CAAQS CO standard (20 ppm) (SCAQMD 2003b). The proposed Project would add approximately 673 net new vehicle trips to the local roadway infrastructure per day, with a new of 44 and 95 trips added during the AM and PM peak hours, respectively (Ganddini Group, 2021b, Table 1). According to the City's 2015 Engineering and Traffic Survey, the segment of Foothill Boulevard between Campus Ave and Grove Ave had an average daily traffic (ADT) volume of 29,809 vehicles (City of Upland, 2016), which is substantially less than the busiest intersection modeled in the 2003 AQMP. The proposed Project would not substantially increase intersection volumes and, therefore, would not result in significant CO concentrations. No mitigation is required.

**d) No Impact.** According to the SCAQMD CEQA Air Quality Handbook, land uses associated with odor complaints include agricultural operations, wastewater treatment plants, landfills, and certain industrial operations (such as manufacturing uses that produce chemicals, paper, etc.). The proposed Project would result in the construction of a variety of park and recreational improvements. The use of equipment, solvents, and other construction materials used to modify the existing site could temporarily produce odors common to construction sites (fuel odors, solvent odors, etc.). These odors would not be unusual or prolonged. Any potential construction-related odors would be temporary, quick to disperse, and would not affect a substantial number of people. This impact would be less than significant.

### 4.4 - Biological Resources

Would the Project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**a) Less Than Significant Impact.** A habitat assessment was prepared by MIG in May 2021 for the Memorial Park site (see Appendix B). A field survey was conducted on April 15, 2021. The California Natural and Terrestrial Communities (CDFW 2020) was consulted by MIG staff to determine if any rare or sensitive plant communities are present in the 7.5' series Ontario Quadrangle. Based on the results of the habitat suitability analysis and the field survey conducted on April 15, 2021, none of the potential plant species (approximately 45 special-status species) or the special-status wildlife (approximately 58 species) are expected to be found on the Project site. The Project site lacks the essential habitat requirements for these species, the distance to known occurrences and/or the species distributional range, the limited availability of foraging and nesting habitat, amount of site disturbance from past and present land uses, and/or the proximity of existing human-related disturbances. Therefore, the Project will have a less than significant impact and no mitigation is required.

**b) Less Than Significant Impact.** Based on the developed and disturbed nature of the Project site, no riparian habitat has been identified on the Project site (per the Biological Assessment). The Project will not impact a riparian habitat or other sensitive natural community identified in a local or regional plan, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. The impact will be less than significant, and no mitigation measures are required.

**c) Less Than Significant Impact.** The Project specific Biological Assessment concluded the Project site does not contain any wetlands, and there is no vegetation or onsite water features indicative of potential wetlands. In addition, the April 2021 field survey did not identify any drainage or wetland features on the site that will be considered jurisdictional by the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, or CDFW. Therefore, the impact is less than significant, and no mitigation measures are required.

**d) Less Than Significant with Mitigation Incorporated.** The Biological Assessment identified that native and ornamental trees, as well as various other substrates on the Project site, have the potential to provide nesting habitat for bird species protected by the CFGC Sections 3503 and 3513. There is potential for ground and tree-nesting birds to establish nests on the Project site prior any project-related construction. Construction activities including site mobilization, limited tree removal, other vegetation clearing, grubbing, grading, and noise and vibration from the operation of heavy equipment have the potential to result in significant direct (i.e., death or physical harm) and/or indirect (i.e., nest abandonment) impacts to nesting birds. The loss of an active nest of common or special-status bird species and/or their eggs or young as a result of Project construction will be considered a violation of the CFGC, Section 3503, 3503.5, 3513 and therefore, will be considered a potentially significant impact. Implementation of **Mitigation Measure BIO-1** is recommended to reduce the impact on nesting birds to a less than significant level.

**Mitigation Measures**

**BIO-1 Nesting Bird Survey.** If vegetation removal is scheduled during the nesting season (typically February 1 to September 1), a focused survey for active nests shall be conducted by a qualified biologist (as determined by a combination of academic training and professional experience in

biological sciences and related resource management activities) no more than five (5) days prior to the beginning of Project-related activities (e.g., excavation, grading and vegetation removal). Surveys shall be conducted in proposed work areas, staging and storage areas, and soil, equipment, and material stockpile areas. For passerines and small raptors, surveys shall be conducted within a 250-foot radius surrounding the work area (in non-developed areas and where access is feasible). For larger raptors, the survey area shall encompass a 500-foot radius. Surveys shall be conducted during weather conditions suited to maximize the observation of possible nests and shall concentrate on areas of suitable habitat. If a lapse in project-related work of five (5) days or longer occurs, an additional nest survey shall be required before work can be reinitiated.

If nests are encountered during any preconstruction survey, a qualified biologist shall determine if it may be feasible for construction to continue as planned without impacting the success of the nest, depending on conditions specific to each nest and the relative location and rate of construction activities. Any nest(s) within the Project site shall be monitored by a qualified biologist during active construction if work is occurring directly adjacent to the pre-determined no-work buffer. If the qualified biologist determines construction activities have potential to adversely affect a nest, the biologist shall immediately inform the construction manager to halt construction activities within minimum exclusion buffer of 50 feet for songbird nests and 200 to 500 feet for raptor nests, depending on species and location. Construction activities within the no-work buffer may proceed after a qualified biologist determines the nest is no longer active due to natural causes (e.g., young have fledged, predation, or another non-human related nest failure).

**e) Less Than Significant Impact.** The City of Upland has municipal requirements for the identification and protection of Landmark and Heritage Trees (including maintaining a register), maintenance of street trees, and the removal and replacement of Street Trees. The Project site contains mature trees, and a goal of the Project is to retain and preserve as many of the existing trees on the site as possible within the constraints of the planned improvements. The Project will meet Municipal Code requirements regarding trees so it will not conflict with an existing policy or program with the intent of biological preservation. Impacts will be less than significant, and no mitigation measures will be required.

**f) Less Than Significant Impact.** The Project site is not within the planning area of any Habitat Conservation Plan or a Natural Community Conservation Plan area, or other approved local, regional, or state habitat protection plan. The Project will have a less than significant impact and no mitigation measures are required.

## 4.5 – Cultural Resources

Would the Project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**a) Less Than Significant Impact.** The Environmental Impact Report prepared for the City of Upland General Plan identified that there are 902 structures with potential National, State, or Local historic significance located within the City and 560 of the structures are located within one of the City’s nine designated Historic Districts. The Project site is not located within one of the City’s nine designated Historic Districts and none of the remaining identified structures of historic significance have been identified on the Project site. The Project includes improvements to the existing onsite recreational amenities and buildings/structures as well as to reconfigure the existing parking lot. In addition, the Project proposes additional buildings/structures and recreational amenities such as but not limited to, an amphitheater, a new tiny tots building, playground equipment, play fields, recreational courts/fields and picnic seating areas. The upgrade and improvements of the Memorial Park site will not cause an adverse change in the significance of an historical resource since no such resources have been identified on the Project site. The Project will not result in an impact which will have a substantial impact on a historical resource and no mitigation is required.

**b) Less Than Significant with Mitigation Incorporated.** The Project proposes improvements to the existing onsite recreational amenities and buildings/structures as well as to reconfigure the existing parking lot. In addition, the Project proposes additional buildings/structures and recreational amenities such as but not limited to, an amphitheater, a tiny tots building, new playground equipment, play fields, recreational courts/fields and picnic seating areas. The site was previously disturbed to accommodate the existing buildings/structures and amenities and the potential for uncovering a significant resource during construction and gradings operations is present. The **Mitigation Measure CR-1**, which is identified in the City’s General Plan EIR, will apply to the Project and will require that all earthmoving activities will cease if cultural resources are discovered, and an archaeologist and paleontologist will evaluate the significance of the find. Through the incorporation of mitigation measure, the impact will be reduced to a level of less than significant.

### Mitigation Measures

**CR-1** In the event that cultural resources (historical, archaeological, or paleontological) are unearthed during excavation and grading activities of any planned park improvements, the contractor shall

cease all earth-disturbing activities within a 100-foot radius of the area of discovery and retain a qualified archaeologist/paleontologist to evaluate the significance of the finding and appropriate course of action. Salvage operation requirements pursuant to Section 15064.5 of the CEQA Guidelines shall be followed. After the find has been removed/salvaged for additional study and archiving (if necessary), work in the area may resume.

**c) Less Than Significant Impact.** The Project site has been previously disturbed and developed as a recreational park with supportive buildings and structures and is located on an approximately 40-acre site. In the unlikely event that human remains are uncovered during earthmoving activities, the contractor shall halt work in the immediate area of the find and notify the County Coroner, in accordance with Section 7050.5 of the California Health and Safety Code, who then must determine whether the remains are of forensic interest. If the Coroner, with the aid of a supervising archaeologist, determines that the remains are or appear to be of a Native American, he/she shall contact the Native American Heritage Commission for further investigations and proper recovery of such remains, if necessary. Through adherence of the existing regulations, impacts are less than significant, and no mitigation is required.

## 4.6- Energy

Would the Project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a) Less Than Significant Impact.** Construction activities associated with the proposed Project would require the use of equipment and construction-related vehicle trips that would combust fuel, primarily diesel and gasoline. Heavy-duty construction equipment would be required to comply with CARB's airborne toxic control measures, which restrict heavy-duty diesel vehicle idling to five minutes. Once operational, the Project would consume energy for vehicle trips, electricity and natural gas usage, and water and wastewater conveyance; however, the proposed Project will install more efficient lighting, and new facilities would be constructed to the latest building code requirements governing energy efficiency. Electricity, natural gas, and gasoline fuel consumption are energy sources necessary to operate and maintain the proposed Project in a safe manner. The proposed Project also reuses existing land resources and avoids consumption of raw resources necessary to construct new development projects. In this regard, the Project inherently reuses materials and energy in an efficient manner. For these reasons, the proposed Project would not result in the wasteful, inefficient, or unnecessary use of energy resources. Impacts would be less than significant, and no mitigation is required.

**b) No Impact.** The Project does not place facilities in any area designated for renewable energy development, interfere or impede with the installation of any utility or other renewable energy systems or related infrastructure, or conflict with or obstruct a state or local plan adopted for the purposes of increasing the amount of renewable energy or energy efficiency. There would be no impact and no mitigation are required.

### 4.7- Geology and Soils

Would the Project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**a.i) Less Than Significant Impact.** The Project site is not located within an Alquist-Priolo Earthquake Fault Zone and there are no known active earthquake faults within the vicinity of the Project site. The Project site is subject to ground shaking impacts should a major earthquake in the area occur in the future. The potential seismic-related impacts could include injury or loss of life and property damage; however seismic engineering and current building codes have significantly reduced the potential for seismic-related building damage and the upgraded and developed buildings/structures will be subject to the seismic design criteria of the California Building Code (CBC). Per Section 15.08.010 (California Building Code) of the City of Upland Municipal Code, Upland has adopted the 2019 California Building Code. The 2019 California Building Code (CBC; Title 24, California Code of Regulations, Part 2) contains seismic safety provisions with the aim of preventing building collapse during a design earthquake, so that occupants will be able to evacuate after an earthquake. The proposed and upgraded buildings/structures will still be subject to the ground impacts should a major earthquake in the area occur in the future. Adherence to existing regulations will result in a less than significant impact and no mitigation is required.

**a.ii) Less Than Significant Impact.** The Project site is subject to strong seismic ground shaking, as are virtually all properties in Southern California. The upgraded and proposed buildings and structures will be required to comply with current CBC and seismic engineering requirements which reduce the potential risk of loss, injury, and death, and impacts due to strong ground shaking. Adherence to existing regulations will result in a less than significant impact and no mitigation is required.

**a.iii) No Impact.** Per the mapping software provided by the California State Department of Conservation Division of Mines and Geology, Seismic Hazard Zones Map. Ontario Quadrangle the Project site is not located within an area susceptible to liquefaction. The Project will not be impacted to seismic ground failure due to liquefaction. There is no impact, and no mitigation measures are required.

**a.iv) No Impact.** Per the County of San Bernardino General Plan Geologic Hazard Overlays, the Project site is not located within an area which is subject to landslide hazards as the topography of the site and neighboring area is relatively flat and as such, the chance for landslide risk is not present. No mitigation measures are required.

**b) Less Than Significant Impact.** The Project proposes improvements to the existing onsite recreational amenities and buildings/structures as well as to reconfigure the existing parking lot. In addition, the Project proposes additional buildings/structures and recreational amenities such as but not limited to, an amphitheater, a tiny tots building, new playground equipment, play fields, recreational courts/fields and picnic seating areas. The Project will involve grading activities and there is the potential to expose surficial soils to wind and water erosion during grading and construction activities. Overall, potential wind erosion will be minimized through soil stabilization measures required by the South Coast Air Quality Management District (SCAQMD) Rule 403 (Fugitive Dust), including

daily watering of the site. In addition, potential water erosion will be prevented through the City's standard erosion control practices required pursuant to the California Building Code and the National Pollution Discharge Elimination System (NPDES), such as silt fencing or sandbags. Section 13.32.450 (Compliance with Best Management Practices, BMPS) of the City of Upland Municipal Code requires any activity that may contribute to prohibited discharges or storm-water pollution is required to comply with all applicable BMPS, and that following construction activities, the site will be covered completely by paving, structures, and landscaping. Implementation of the existing regulations will reduce impacts to a less than significant level.

**c) Less Than Significant Impact.** The impacts related to both liquefaction and landslides are discussed in Sections 4.6.a and 4.6.b. Based on the relatively flat nature of the Project site and the surrounding area, there is a limited potential of lateral spreading. The expanded and new buildings/structures will be required to comply with current CBC guidelines which would limit any potential impacts brought on by unstable soil.

**d) Less Than Significant Impact.** The Project site has been previously developed and the scope of work will include improvements and the incorporation of additional amenities to the existing site. The Project will be required to comply with current CBC requirements which requires design considerations for foundations of structures on soils with expansion potential (indices greater than 20). Through adhering to current CBC requirements, the Project will have a less than significant impact and no mitigation is required.

**e) No Impact.** The Project site is underlain with existing sewer lines and has the capacity to accommodate the improvements and development for the Project. The accommodation of septic tanks or an alternative wastewater disposal system will not be required, and no mitigation measures are required.

**f) Less Than Significant with Mitigation Incorporated.** The Project site is an existing recreational park facility which contains walking paths, sports fields, a skate park, and activity buildings, and restroom structures. The Project proposes improvements to the existing onsite recreational amenities and buildings/structures as well as to reconfigure the existing parking lot. In addition, the Project proposes additional buildings/structures and recreational amenities such as but not limited to, an amphitheater, a tiny tots building, new playground equipment, play fields, recreational courts/fields and picnic seating areas. Since the Project site has been previously disturbed by previous construction activities, any paleontological resource that may have existed onsite will likely have been unearthed or disturbed. The potential for uncovering significant paleontological resources at the site during construction activities is considered remote given that the site has been significantly disturbed. However, **Mitigation Measure CR-1** will be implemented if paleontological materials are uncovered during grading, and work will then cease until a paleontologist can evaluate the find and implement salvage operations. With incorporation of **Mitigation Measure CR-1**, the impact will be less than significant.

### **Mitigation Measures**

**CR-1** In the event that cultural resources (historical, archaeological, or paleontological) are unearthed during excavation and grading activities of any planned park improvements, the contractor shall cease all earth-disturbing activities within a 100-foot radius of the area of discovery and retain a qualified archaeologist/paleontologist to evaluate the significance of the finding and appropriate course of action. Salvage operation requirements pursuant to Section 15064.5 of the CEQA Guidelines shall be followed. After the find has been appropriate mitigated, work in the area may resume.

## 4.8 – Greenhouse Gas Emissions

Would the Project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Gases that trap heat in the atmosphere and affect regulation of the Earth’s temperature are known as GHGs. GHG that contribute to climate change are a different type of pollutant than criteria or hazardous air pollutants because climate change is global in scale, both in terms of causes and effects. Some GHG are emitted to the atmosphere naturally by biological and geological processes such as evaporation (water vapor), aerobic respiration (carbon dioxide), and off-gassing from low oxygen environments such as swamps or exposed permafrost (methane); however, GHG emissions from human activities such as fuel combustion (e.g., carbon dioxide) and refrigerants use (e.g., hydrofluorocarbons) significantly contribute to overall GHG concentrations in the atmosphere, climate regulation, and global climate change. The 1997 United Nations’ Kyoto Protocol international treaty set targets for reductions in emissions of four specific GHGs – carbon dioxide, methane, nitrous oxide, and sulfur hexafluoride – and two groups of gases – hydrofluorocarbons and perfluorocarbons. These GHG are the primary GHG emitted into the atmosphere by human activities. The six most common GHG’s are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), sulfur hexafluoride, hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs).

GHG emissions from human activities contribute to overall GHG concentrations in the atmosphere and the corresponding effects of global climate change (e.g., rising temperatures, increased severe weather events such as drought and flooding). GHGs can remain in the atmosphere long after they are emitted. The potential for a GHG to absorb and trap heat in the atmosphere is considered its global warming potential (GWP). The reference gas for measuring GWP is CO<sub>2</sub>, which has a GWP of one. By comparison, CH<sub>4</sub> has a GWP of 25, which means that one molecule of CH<sub>4</sub> has 25 times the effect on global warming as one molecule of CO<sub>2</sub>. Multiplying the estimated emissions for non-CO<sub>2</sub> GHGs by their GWP determines their carbon dioxide equivalent (CO<sub>2</sub>e), which enables a project’s combined global warming potential to be expressed in terms of mass CO<sub>2</sub> emissions (referred to as CO<sub>2</sub> equivalents, or CO<sub>2</sub>e).

**a) Less Than Significant Impact.** The proposed Project would generate GHG emission from both short-term construction and long-term operational activities. Construction activities would cease to emit GHG upon completion, unlike operational emissions that would be continuous year after year until the project is decommissioned. The SCAQMD recommends amortizing construction GHG emissions over a 30-year period and including with operational emissions estimates. This normalizes construction emissions so that they can be grouped with operational emissions and compared to appropriate

thresholds, plans, etc. The proposed Project’s construction and operational emissions were estimated CalEEMod, V. 2016.3.2, using the same default assumptions and project specific variables applied to the air quality emissions estimates (see Appendix A). The proposed Project’s net increase in GHG emissions is shown in Table 5.

**Table 5  
Project Operation – Net Change in GHG Emissions**

<b>GHG Source</b>	<b>Net Change GHG Emissions Per Year<sup>1</sup> Metric Tons of Carbon Dioxide Equivalents (MTCO<sub>2</sub>e)</b>
Area <sup>1</sup>	0.0
Energy <sup>2</sup>	14.8
Mobile	1,042.4
Waste	0.2
Water	12.9
Amortized Construction	21.7
<b>Total<sup>2</sup></b>	<b>1,092.0</b>
<b>SCAQMD Tier 3 Screening Threshold</b>	<b>3,000</b>
<b>SCAQMD Tier 3 Threshold Exceeded?</b>	<b>No</b>
<b>Project-Specific 2030 GHG Emissions Goal</b>	<b>1,800</b>
<b>Project-Specific Goal Exceeded?</b>	<b>No</b>
Source: MIG, 2021 (see Appendix A) and SCAQMD, 2010.	
<sup>1</sup> 0.0 does not mean emissions are zero but rather emissions are greater than 0.00 but less than 0.1.	
<sup>2</sup> Totals may not equal due to rounding.	

As shown in Table 5, the proposed Project’s potential increase in GHG emissions would be below the SCAQMD’s recommended GHG emissions thresholds. Furthermore, the proposed Project’s GHG emissions would also be below an adjusted threshold of 1,800 MTCO<sub>2</sub>e per year, which takes into account post 2020 GHG emissions targets toward which the state is currently working.<sup>1</sup> The proposed Project, therefore, would not generate GHG emissions that exceed SCAQMD CEQA thresholds, and no mitigation is required.

**b) No Impact.** The proposed Project consists of minor improvements and upgrades to recreational facilities at the existing Upland Memorial Park. It would not conflict with CARB’s Scoping Plan or the Southern California Association of Governments (SCAG) 2020-2045 Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS) or Connect SoCal. Nearly all the specific measures identified in the 2017 Climate Change Scoping Plan would be implemented at the state level, with CARB and/or another state or regional agency having the primary responsibility for achieving required GHG reductions. The proposed project, therefore, would not directly conflict with any of the specific measure identified in the 2017 Climate Change Scoping Plan. Similarly, the proposed project would not conflict with Connect SoCal, because it does not involve significant, new trip generating land uses that could generate a significant increase in VMT. There will be no impact and no mitigation are required.

<sup>1</sup> The 1,800 MTCO<sub>2</sub>e per year goal was developed by taking the SCAQMD’s Tier 3 threshold of 3,000 MTCO<sub>2</sub>e per year for all land uses, which was the threshold to reduce emissions back to 1990 levels, and reducing it by 40 percent (3,000 MTCO<sub>2</sub>e/yr \* (1 - 0.4) = 1,800 MTCO<sub>2</sub>e/yr). This reduction is consistent with the GHG reductions required under Senate Bill 2. This linear reduction approach oversimplifies the threshold development process. The City is not adopting nor proposing to use 1,800 MTCO<sub>2</sub>e as a CEQA GHG threshold for general use; rather, it is only intended for to provide additional context and information on the magnitude of the proposed project’s GHG emissions.

### 4.9 – Hazards and Hazardous Materials

Would the Project:

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

**a) Less Than Significant Impact.** The Project site is located within a developed area in the City of Upland and the site is surrounded by commercial uses to the north, office and residential to the south, commercial and multi-family residential to the east, and commercial, single-family residential, and a hospital to the west. The Project is a recreational park and proposes additional buildings/structures and recreational amenities including an amphitheater, a tiny tots building, new playground equipment, play fields, recreational courts/fields and picnic seating areas. The proposed park Project is not a use which generates a significant number of hazardous materials which will require frequent transportation and disposal. Uses which will require the routine disposal and transportation of hazardous materials are primarily associated with industrial manufacturing operations.

The Project will require grading and construction to implement the planned improvements and new structures and there will be a minor level of transportation, use, and disposal of hazardous materials and wastes during grading and construction activities. The materials will consist of fuels and lubricants for construction machinery, coating materials, etc. The construction and grading activities will be required to comply with Best Management Practices for hazardous materials storage, application, waste disposal, accident prevention and clean-up. Through the incorporation of standard Best Management Practices (BMP) the impact will be less than significant and no mitigation is required.

**b) Less Than Significant Impact.** Per the information obtained from the State Water Resources Control Board, there are no leaking underground storage tank (LUST) cleanup sites or disposal sites within one-quarter mile of the Project site. The closest LUST sites are located 1,606 feet to the east and 3,608 feet to the west to the Project site, however, both cases have been closed and the Project does not propose an underground storage tank. Because there are no LUST cleanup sites or land disposal sites within or near the site, no new or more severe impacts will occur as a result of the proposed park Project. With adherence to existing regulations, impacts from the proposed Project will be less than significant and no mitigation is required.

**c) Less Than Significant Impact.** The closest school to the Project site is Foothill Knolls Elementary School located 773 feet (0.15 mile) to the north. The Project site is an existing recreational park, and the scope of work consists of improvements to the existing buildings/structure and the onsite park amenities and the Project includes additional buildings/structures and recreational amenities. The grading and construction activities may involve some temporary transportation of hazardous materials (e.g., fuels, cleaning products), however, any use of such materials will be limited to the construction of park improvements. Foothill Knolls Elementary is located 0.15 miles to the north of the site and is setback in a residential tract along the northern boundary of Foothill Boulevard. The transportation of hazardous materials will be along Foothill Boulevard and will not be within close proximity to the school site. Therefore, any impacts will be less than significant, and no mitigation is required.

**d) No Impact.** The Project site is an existing recreational park and is not located on a State Cortese List. The Project will have no impact and no mitigation is required.

**e) Less Than Significant Impact.** The closest airport located to the Project site is the Cable Airport (CCB) which is a privately owned, public use airport located at the northwest corner of 13th Street and Benson Avenue, approximately 3 miles to the northwest of the Project site. Upon reviewing the Cable Airport Land Use Plan (CALUP), the Project site is located outside of its Sphere of Influence. Impacts are therefore less than significant, and no mitigation is required.

**f) Less Than Significant Impact.** The location of the existing and proposed buildings will be distributed throughout the 40-acre site and sufficient space will be provided around the buildings for emergency personnel and equipment access and emergency evacuation, and all Project elements, including landscaping, will be cited with sufficient clearance from existing and proposed buildings so as

not to interfere with emergency access to and evacuation from the site. The onsite circulation of the Project site will not be impacted, and the existing driveways will allow Project allow emergency access and evacuation from the site. All proposed improvements will be designed in accordance with California Fire Code (Title 24, California Code of Regulations, Section 9) specifications. With adherence to existing regulations, impacts from the proposed Project will be less than significant and no mitigation is required.

**g) No Impact.** There are no wildland conditions in this urbanized area and the Project site is not located and within a fire hazard zone, as identified on the latest Fire Hazard Severity Zone (FHSZ) maps prepared by the California Department of Forestry and Fire Protection (CALFIRE).<sup>1</sup> Therefore, there will be no impact and no mitigation are required.

### 4.10 – Hydrology and Water Quality

Would the Project:

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

**a) Less Than Significant Impact.** The Project site is an existing recreational park which contains both permeable surfaces (i.e., sports fields, landscaped play areas, etc.) and impermeable surfaces (recreational buildings, parking lot, skate park, drive aisles) and the Project includes additional recreational sports fields, playground equipment, an amphitheater, a new trail system, expanding and upgrading the existing onsite recreational amenities and buildings/structures. Due to the nature of the planned improvements, the Project will not result in a significant increase in impermeable surfaces which could impact onsite drainage or water quality.

The on-site storm drainage is conveyed through a system of v-ditches and a storm drain (located along the western portion of the site) as well as a bioswale and bio-retention zone, proposed in the southeastern portion of the site. The construction/grading activities will be subject to NPDES permit requirements as well as compliance with Best Management Practices (BMPs) as outlined in Section 13.32.450 of the City of Upland Municipal Code. The applicable BMPs for the proposed Project include drainage controls such as detention ponds, dikes, gutter, berms, and down drains to prevent runoff, and the utilization of plastic coverings to prevent erosion. Compliance with the applicable City discharge requirements will ensure that construction activities will not violate any water quality standards or discharge requirements, or otherwise substantially degree quality. The Project will also be subject to post-construction BMPs to address methods to decrease runoff from impervious surfaces, methods to decrease incremental increases in off-site stormwater flows, and methods for decreasing pollutant loading in off-site discharges as required by the applicable NPDES requirements. With adherence to existing regulations, the proposed Project will have a less than significant impact and no mitigation is required.

**b) Less Than Significant Impact.** The Project site is in the Upper Santa Ana Valley Groundwater Basin, Chino Sub-basin. The grading activities associated with onsite improvements and development will not reach these depths and no disturbance of groundwater is anticipated and the uses proposed will not result in a higher demand of water resources. The on-site storm drainage is conveyed through a system of v-ditches and a storm drain (located along the western portion of the site) as well as a bioswale and bio-retention zone, proposed in the southeastern portion of the site. Through the incorporation of onsite drainage infrastructure and that the Project will not impact or impede existing groundwater sources, the Project will have a less than significant impact and no mitigation is required.

**c.i) Less Than Significant Impact.** The Project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces. The Project site is developed as an existing recreational park with supportive buildings/structures and amenities, and is bordered by residential, office, commercial, and a medical use. There is a storm drain running along the western portion of the site which is intended for drainage purposes and a bioswale is proposed along the southeastern portion of the site, which will be utilized for water quality purposes. The existing and proposed recreational fields and play surfaces have been designed with materials that are permeable to allow for the absorption of water and would not impact the overall drainage of the site. In addition, the existing and expanded buildings/structures will not impact the drainage pattern as the location of the structures/buildings will not change. The amphitheater will also not impact the drainage pattern of the park as the site slopes in a north to south direction which will prevent water from pooling. The Project site is located within an urbanized area and is not adjacent to a stream or river and as such, will not impact a neighboring water body. The Project proposes both impervious and pervious surfaces and will not result in substantial erosion. In addition, construction activities will also be required to comply with drainage and runoff guidelines pursuant to the City of Upland Municipal Code Section 13.32 (Environmental Quality Enterprise). Therefore, the Project will not result in a significant impact to the drainage of the site and no mitigation is required.

**c.ii) Less Than Significant Impact.** The Project site contains existing recreational fields, buildings/structures, and parking areas, and Project includes additional recreational fields, an amphitheater, upgrading the existing buildings/structures, and to reconfigure the existing parking lot(s). The Project will not significantly increase the number of impermeable surfaces as a majority of the amenities will be recreational fields and playground equipment, all of which will be designed with materials that are permeable and will not cause water to pool on the site. In addition, the overall topography of the Project site slopes down in a north to south direction which will cause water to drain towards the southern portion of the site which will then be collected in the v-ditch and storm drain system or the proposed bioswale. Therefore, potential flooding impacts on the site will be less than significant and no mitigation is required.

**c.iii) Less Than Significant Impact.** The Park site contains an existing storm drain and v-ditch system along the western property line and a proposed bio-retention area in the southeast of the site. The Project proposes additional recreational amenities and structures/buildings and to upgrade the existing structures/buildings and amenities. The incorporation of the new amenities and the upgrade of the existing buildings/structures and amenities will not increase impermeable surfaces which would result in excessive stormwater runoff that will impact existing stormwater drainage. Impacts will be less than significant, and no mitigation is required.

**c.iv) Less Than Significant Impact.** The Project site is not located within a 100-year floodplain, as the area is not mapped by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps. The General Plan Safety Element identifies the proposed Project site as Zone C which is defined by FEMA as minimal risk areas outside of the one percent and 0.2 percent annual chance floodplain. The Project site is not located in a flood zone and will not alter the course of a stream or river, and the proposed Project would not impede or redirect flood flows. The impact will be less than significant, and no mitigation is required.

**d) No Impact.** The San Antonio Dam is located approximately 5.8 miles northwest of the Memorial Park Project site. The Upland General Plan Safety Element identifies that failure of the San Antonio Dam is possible if unusually high amounts of precipitation and runoff filled the dam to capacity and a seismic event occurred along the Cucamonga Fault simultaneously. However, the settling basins located south of the dam are designed to accommodate conditions well above a 100-year flood category, protecting downstream uses from inundation. Therefore, impacts from dam inundation will be less than significant. The Project site is not subject to tsunami due to its elevation and distance (elevation around 1,300 feet above sea level and approximately 50 miles inland) from the ocean. Finally, there are no surface water bodies located on or near the Project site that could result in seiche, the Project site does not lie in a landslide hazard zone, and no natural rivers or streams are located in the Project vicinity. Therefore, it was determined that no impact will occur, and no mitigation is required.

**e) No Impact.** Per the information provided in Checklist Responses 4.10a through 4.10.d, the Project will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. No impact will occur as a result of the proposed Project and no mitigation is required.

### 4.11- Land Use and Planning

Would the Project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) **No Impact.** The Project site is an existing recreational park with a Land Use and Zoning designation of Open Space and is surrounded by commercial to the north, commercial and multi-family residential to the east, commercial, residential, and a hospital to the west, and office and residential to the south. The Project proposes upgrades and improvements to the existing park including but not limited to new playground equipment, recreational sports fields, an amphitheater, picnic seating areas, splashpad, renovation of the Landecena building and parking lot improvements. The Project will not result in the division of an existing community as the site is an existing recreational park and in result, no impact will occur, and no mitigation measures are required.

b) **No Impact.** The Project site has a land use designation of Park/Open Space (P-OS) and a Zoning Classification of Open Space (OS) as a *Park and Playground, operated by governmental agency, philanthropic organization, or private agency*, is a permitted by right use in the underlying zoning classification and land use designation. The site is an existing park, and the Project includes improvements and upgrades to the existing buildings and amenities and to incorporate additional park amenities (i.e., playground equipment, sports fields, amphitheater, parking lot etc) and buildings/structures. The proposed amenities and improvements will maintain the integrity of the overall features of the park in terms of design and will not include any features that will circumvent mitigating policies in the Upland General Plan EIR. The Project is consistent with the City’s Open Space Land Use and Zoning requirements and the Project will not conflict with an adopted policy or regulation adopted for the purpose of avoiding or mitigating an environmental affect. The Project will have no impact and no mitigation is required.

### 4.12- Mineral Resources

Would the Project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**a-b) Less Than Significant Impact.** The General Plan identifies high quality rock, sand, and gravel deposits as the most productive natural resource in the City, and that Special Report No. 143, Part VI, prepared by the California Division of Mines and Geology presents classifications of sand and gravel resources within the Claremont-Upland Production-Consumption Region. A small area in the southwest portion of the City is designated Mineral Resource Zone 1 (MRZ-1) which indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.

The majority of the land area in the City lies within the MRZ-2 classification due to the City’s location atop the San Antonio Creek and the Cucamonga Creek alluvial fans.<sup>2</sup> This designation indicates that significant mineral deposits are present or where it is judged that a high likelihood for their presence exists. The Project site is located within MRZ-2 and is therefore an area of known mineral resources. The Project site has not been designated by the State as a viable source of aggregate within the Claremont-Upland Production-Consumption area. This is because land uses surrounding the Project site are not compatible with mining activities. SMARA Designation Report No. 5 identifies “incompatible” land uses as those that are “inherently incompatible with mining and/or that require a high public or private investment in structures, land improvements, and landscaping that will prevent mining because of the higher economic value of land use and its improvements.”<sup>3</sup> Examples of “incompatible” land uses include high density residential, low density residential with high unit value, public facilities, intensive industrial, and commercial. “Incompatible” land uses as defined by the State are located adjacent to the Project site.

In addition, it was determined that the Project site is not located within a designated future mineral extraction area by the City. Although the Project site is classified as an area of known mineral resources, mining operations will be incompatible with the uses currently surrounding the Project site. Impacts will be less than significant, and no mitigation is required.

### 4.13 – Noise

Would the Project:

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

a) **Less Than Significant with Mitigation Incorporated.** The Project proposes additional recreational sports fields, playground equipment, an amphitheater, and to improve and upgrade the existing buildings/structures for the Memorial park site. There are sensitive receptors (single-family and multi-family residential) located to the west, east, south of the site as well as the San Antonio Regional Hospital to the southwest. The Project improvements will require grading and construction activities which will temporarily increase noise levels within the vicinity of the site. The primary construction activities will be situated mainly in the northeastern, central, and western boundaries of the Project site, all of which are adequately setback from the neighboring residential properties such that a noise disturbance will be unlikely to occur. Construction and grading activities will occur for only a limited period of time and all activities will be required to comply with the City of Upland Municipal Noise Ordinance which limits construction activities between the hours of 7:00 AM to 6:00 PM on weekdays. To ensure potential construction activity noise levels do not exceed code standards or otherwise annoy or result in a temporary nuisance to adjacent properties, the City is incorporating **Mitigation Measure NOI-1** into the project to limit construction hours and reduce construction activity noise levels.

The Safety Element of the City General Plan contains Goal SAF-1 which seeks to protect City residents “from interior and exterior noise levels that cause harm to safety, health and well-being”. In addition, Policy SAF-1.1 identifies Exterior Noise Standards which require noise mitigation for all development where the projected exterior noise levels exceed City standards to the extent feasible. Table 6 below shows the General Plan exterior noise standards while Table 7 shows the incremental noise increases allowed for noise sensitive uses.

**Table 6  
Upland Exterior Noise Standards**

<b>Land Use Type</b>	<b>Highest Level of Noise Exposure that is Regarded as “Normally Acceptable” (Ldn of CNEL)</b>
Residential – Low Density Single-Family, Duplex, Mobile Homes	60 dBA
Residential – Multi-Family	65 dBA
Mixed-Use	70 dBA
Transient Lodging – Hotels, Motels	65 dBA
Schools, Libraries, Churches, Hospitals, Nursing Homes	70 dBA
Auditoriums, Concert Halls, Amphitheaters	Mitigation based on site-specific study
Sports Arena, Outdoors Spectator Sports	Mitigation based on site-specific study
Playgrounds, Neighborhood Parks	70 dBA
Golf Courses, Riding Stables, Water Recreation, Cemeteries	75 dBA
Office Buildings – Commercial, Office/Professional	70 dBA
Industrial, Manufacturing, Utilities, Agriculture	75 dBA

Source: General Plan Safety Element Table SAF-1, Exterior Noise Compatibility Standards, from Governor’s Office of Planning and Research, State of California General Plan Guidelines 2003, 2003, pages 244-254

It should be noted the “amphitheater” use listed in Table 6 refers to a large outdoor performance or concert venue rather than a small park amphitheater such as the one included in the proposed Project. If noise from the park amphitheater becomes excessive or exceeds City standards, a specific noise study will be conducted at that time to development additional design or performance criteria for the facility to regulate noise impacts (see Mitigation Measures NOI-2 and NOI-3).

**Table 7  
Exterior Incremental Noise Standards for Noise Sensitive Uses (dBA)**

<b>Residences and Buildings Where People Normally Sleep</b>		<b>Institutional Land Uses with Primarily Daytime and Evening Uses</b>	
<b>Existing Ldn</b>	<b>Allowable Noise Increment</b>	<b>Existing Peak Hour Ldn</b>	<b>Allowable Noise Increment</b>
45	8	45	12
50	5	50	9
55	3	55	6
60	2	60	5
65	1	65	3
70	1	70	3
75	0	75	1
80	0	80	0

Source: General Plan Safety Element Table SAF-4, Exterior Incremental Noise Impact Standards for Noise Sensitive Uses, from Federal Transit Administration, Transit Noise and Vibration Impact Assessment, 2006.

The slightly expanded operation of the recreational park will result in an incremental increase in noise from the uses which border the site, including recreational sports fields, the YMCA, Upland Animal Shelter, Landecena Family Community Center, and playground equipment.

A permanent new source of noise would be from the proposed amphitheater which would have periodic concerts throughout the year with both amplified and non-amplified music. The potential noise impact generated by the amphitheater is expected to be less than significant as the amphitheater would be located in the central portion of the site and would be adequately separated from the neighboring residential land uses. However, it is reasonable to conclude events or concerts with amplified music may result in significant noise impacts to local residents. Therefore, **Mitigation Measures NOI-2 and NOI-3** are recommended to help assure that potential noise impacts from the amphitheater will remain at less than significant levels.

The Project also proposes new playground equipment in the western boundary of the Project site and a new sports field to the east, however, similar uses exist on the Project site and the incorporation of additional similar uses would not create a new significant source of noise. Overall, the new uses incorporated on the Project site would be less than significant with implementation of Mitigation Measures NOI-1 to NOI-3.

### **Mitigation Measures**

**NOI-1** To ensure potential construction activity noise levels do not exceed code standards or otherwise annoy or result in a temporary nuisance to adjacent properties, the City and/or its designated contractor, contractor's representatives, or other appropriate personnel shall:

- *Restrict work hours/equipment noise.* All work shall be subject to the requirements in Upland Municipal Code Section 9.40.100M Construction activities, including deliveries, shall only during the hours of 7:00 AM to 6:00 PM, Monday through Friday. Construction activities shall be prohibited on Sundays and Federal holidays. The Applicant and/or its contractor shall post a sign at all entrances to the construction site informing contractors, subcontractors, construction workers, etc. of this requirement.
- *Construction equipment selection, use, and noise control measures.* The following measures shall apply during construction activities:
  - To the extent feasible, contractors shall use the smallest size equipment capable of safely completing work activities.
  - Construction staging shall occur as far away from the adjacent residential properties as possible.
  - All stationary noise-generating equipment such as pumps, compressors, and welding machines shall be located as far from adjacent residential as possible.
  - Heavy equipment engines shall be covered, and exhaust pipes shall include a muffler in good working condition.
  - Pneumatic tools shall include a noise suppression device on the compressed air exhaust.
  - The City and/or his contractor shall connect to existing electrical service at the site to avoid the use of stationary power generators.

**NOI-2** Prior to issuance of a temporary use permit from the City Development Services Department, all requests for events or concerts using amplified sound at the new amphitheater will be reviewed by City Planning Staff to assure the users are aware of City noise limits for such events, including City Municipal Code Chapter 9.40, Unnecessary Noise. The event sponsors shall implement the following to help minimize offsite noise impacts to the satisfaction of the City Development Services Department:

- All special event vendors (e.g., DJs, musical bands, etc.) shall be notified regarding noise-related conditions of approval.
- Outdoor special events and associated audio equipment, sound amplifying equipment, and/or performance of live music shall be limited to the hours of 8:00 a.m. to 10:00 p.m. Monday through Sunday.
- Noise levels shall be kept below levels prescribed in the City's General Plan Noise Element and City Municipal Code Chapter 9.40, Unnecessary Noise, by using a decibel-measuring device to measure music sound levels when amplified music is used.
- Clean-up activities associated with special events shall terminate no later than midnight.
- Outdoor speakers for all scheduled events shall be oriented toward the center of the park and/or away from adjoining residential uses to the greatest extent feasible.
- Padding/carpeting shall be installed under music speakers for early absorption of music.

**NOI-3** The City Recreation Division shall monitor use of the new amphitheater facility by groups or events that use amplified sound or music. The Recreation Division shall enforce the following restrictions on any users or events that repeatedly exceed established noise or other public health and safety standards, or for which repeated complaints from neighbors have been received, including the following:

- If a particular user or event repeatedly exceeds established noise standards, the City shall retain at user's expense a qualified noise consultant to monitor noise levels at the affected property line(s) to determine if the requirements of the Municipal Code Chapter 9.40, Unnecessary Noise, and any event noise-related conditions are being followed during the special events.
- If repeated violations of the City's noise guidelines or noise-related conditions occur, the City shall reconsider allowed hours of operation, number of guests, amount of special events per year, or cancellation of requested events as appropriate.

**b) Less Than Significant Impact.** The scope of the development activities will consist of grading, construction, and landscaping to accommodate the upgraded buildings/structures and the additional recreational amenities. The equipment utilized for the construction and grading activities may consist of a jackhammer to break up concrete, a bulldozer to move soil, a cement truck, and a loaded truck to move material or soil around the site. The construction equipment, which has the potential to generate ground borne vibration, would be mobile, meaning that they would not operate at the same location and expose a potential receptor to vibration for a prolonged amount of time. Second, equipment is unlikely operate near a property boundary on a frequent basis. Finally, equipment operation that could generate groundborne vibration would be short-term, since overall Project construction of each improvement is expected to take approximately a few weeks to months, depending on the improvement involved, however, all of the work is planned to be completed in approximately one year. The areas where ground borne vibration may occur will be in the areas where construction is proposed, such as the demolition and reconstruction of the tiny tots building, the construction of the amphitheater building, and the expansion of the Landecena building. The majority of the grading and construction activities will occur within the central and western portion of the Project site and the neighboring residential dwellings are adequately setback from the Project site. The remaining construction activities will focus on assembling playground equipment, incorporating additional landscaping, upgrading the plumbing infrastructure for the site, and paving activities for the reconfigured parking lot and trail system, all of which will not generate ground borne vibration. Impacts will be less than significant and no mitigation is required.

**c) No Impact.** The closest airport to the Project site is the Cable Airport located three miles to the northwest. The Project site is not located within the Cable Airport Land Use Plan. The Project site is an existing recreational park with existing buildings (YMCA, Landecena Community Center, Upland Animal Shelter), and recreational amenities such as sports fields, playground equipment, a skate park, picnic areas, and green space. The incorporation of the new recreational amenities such as playground equipment, splash pad, amphitheater, sports fields, etc. will not create the residential or employment population in the area which could be impacted by excessive noise levels from a neighboring airport. There would be no impact and no mitigation required.

### 4.14 – Population and Housing

Would the Project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a) No Impact.** The Project will not result in a substantial unplanned population growth in the area as it is not a residential project which will result in an increase in overall population. Rather, the Project proposes improvements to the existing amenities and proposes additional structures and recreational amenities of the park site. The incorporation of additional recreational amenities could result in additional park patrons; however, the additional patrons will not represent a permanent increase in population and therefore there would be no impact.

**b) No Impact.** The Project site, Memorial Park, is approximately 40-acres and contains recreational playground equipment, sports fields, a skate park, YMCA, a community center, and an animal shelter. The scope of work includes additional recreational amenities (playground equipment, sports fields/courts, shade and picnic areas, an amphitheater) and improving existing onsite structures (Landecena building, Atwood Kitchen Group picnic area, restroom buildings, etc). The proposed development and improvements for the park will take place within the boundaries of the Project site and will not result in an expansion of the existing use on any offsite properties. The proposed improvements and upgrades will not result in any impacts which could affect residential land uses or displace substantial number of existing people or housing, necessitating the construction of replacement housing elsewhere. Therefore, there are no impacts.

### 4.15- Public Services

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a) Less Than Significant Impact.** The City of Upland is served by the San Bernardino County Fire Department for fire protection and emergency medical response services. The closest fire Station is #161 (475 N 2<sup>nd</sup> Avenue) which is located 1.2 miles to the southwest of the Project site. The Fire Department provides technical fire prevention activities by checking building construction plans to make sure all proposed buildings meet appropriate safety codes prior to construction. The Project does not propose any development or improvements which will increase the population in the area and trigger the additional demand for fire services. In addition, the Project will not have a significant impact on fire response times because the site is located within the existing service area of the San Bernardino County Fire Department. The Project will have a less than significant impact and no mitigation is required.

**b) Less Than Significant Impact.** The Upland Police Department (UPD) provides police protection services in the City of Upland and their Patrol Division has 57 sworn officers assigned as initial responders for all calls for service within the City of Upland.<sup>4</sup> The UPD Police Station is located at 1499 W. 13<sup>th</sup> Street, approximately 3 miles northeast of the Project site. The Project will not result in any permanent population increase and would not require the expansion of the existing police facilities. Any impacts will be less than significant, and no mitigation is required.

**c) No Impact.** The City is proposing the Project to upgrade the existing recreational amenities and buildings/structures and to incorporate additional recreational amenities (sports recreational fields, amphitheater, playground equipment, restrooms, etc.) and buildings/structures. The Project does not propose a use which could result in a permanent population that could impact or require additional school facilities and as such, no impact would occur.

**d) No Impact.** The park Project is City-initiated to upgrade and incorporate additional amenities. The requirement for park fees is associated with the permitting of residential development projects and since the proposed Project is a City recreational park, development impact fees or DIF would not be required.

The improvements and upgrades will further support the operations of the Memorial Park site, which is approximately 40-acres in size, and contains amenities such as playground equipment, recreational fields, a community center, and a YMCA building. The Project will not impact existing park infrastructure and so no impact will occur.

**e) No Impact.** The Project does not propose a residential component which could increase the total population within the City so the Project will not increase the demand of such services such as libraries or hospitals. The Project would have no impact.

**4.16- Recreation**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a) No impact.** The Project site is an existing outdoor recreational park with various recreational amenities such as sports fields, playground equipment, a skatepark, green space and picnic areas, restrooms, and onsite buildings consisting of the Upland Animal Shelter, YMCA, and the Landecena building. The Project consists of improving and upgrading the existing amenities and buildings/structures and to incorporate additional sports fields, playground equipment, an amphitheater, a trail system, a splash pad, recreational equipment, and to reconfigure the existing parking lot. The Project will not result in a permanent population which could impact existing recreational parks and amenities located within the City. The Project site is an existing outdoor park site, and the Project proposes a number of park improvements and upgrades. Therefore, the Project will actually benefit existing park facilities in need of upgrading and will not result in any deterioration of a recreational facility. No adverse impacts will occur.

**b) No Impact.** The Project site is an existing outdoor recreational park, and the Project includes additional recreational amenities and to upgrade and improve the existing onsite park buildings/structures and amenities. The Project is the construction of recreational facilities, but it is not an indirect impact of some other project or action. Therefore, no adverse impacts would occur.

### 4.17- Transportation

Would the Project:

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

An assessment of traffic-related impacts of the Project including trip generation and vehicle miles traveled (VMT) was prepared by the Ganddini Group in May 2021 (see Appendix C).

**a) Less Than Significant Impact.** According to the latest CEQA Guidelines, vehicle miles traveled (VMT) is the current methodology required to evaluate potential transportation impacts of a project under CEQA. Trip generation and VMT data is provided in Appendix C. The City General Plan Circulation Element has Policy CIR-1.1 which requires projects to achieve Level of Service (LOS) D or better during peak hours for City streets and intersections, as outlined below.

**Circulation Element.** Goal CIR-1 states the City desires a “transportation network that provides mobility and access for all modes of travel including automobiles, transit, bicyclists, pedestrians, and freight vehicles.” Circulation Element Goal CIR-2 states the City desires “an interconnected network of bicycle, pedestrian, and transit facilities that accommodate and encourage travel through non-automotive modes.” In support of these goals, Policy CIR-1.1 requires the City’s roadways to:

- a. Provide accommodations for transit, bicyclists, and pedestrians within the public right-of-way.

- b. Comply with Federal, State, San Bernardino County, and local standards for roadway design, maintenance and operation.
- c. Strive to maintain LOS D at all intersections outside of the Downtown Specific Plan area and the Transit Priority Roadways except where such improvements are physically infeasible or would negatively impact bicyclists, pedestrians, or transit patrons.
- d. Strive to maintain LOS E at all intersections within the Downtown Specific Plan area and intersections along the Transit Priority Roadways.
- e. Provide future capacity as envisioned with the Future Roadway System map.

To be consistent with the 2020 State CEQA Guidelines, a LOS analysis is not required for purposes of this Initial Study impact analysis and determination of significant impacts under CEQA. However, it is estimated the proposed Project will generate less than 50 trips per peak hour at any local intersection. The Project will also construct improvements to the various park access driveways on Foothill Boulevard, 11th Street, and San Bernardino Avenue as needed. Therefore, the Project will have no significant traffic impacts relative to the City's Circulation Element and no mitigation is required.

**Transit.** Bus service in the west San Bernardino Valley is provided by Omnitrans. There are two bus routes that currently serve the immediate Project area. Route 83 runs along Foothill Boulevard and Campus Drive 0.25 mile west of the park site and provides access south into the City of Ontario. Route 85 runs along San Bernardino Avenue adjacent to the park Project site and provides east-west access to adjacent communities. Route 83 has one bus stop and Route 85 has several bus stops within a quarter mile of the site, and these routes currently run on an hourly schedule. In addition, the Circulation Element Policy CIR-1.4 supports "Bus Rapid Transit (BRT) on Foothill Boulevard in a manner that does not require a dedicated lane." Therefore, any transit-related impacts will be less than significant, and no mitigation is required.

**Bicycle and Pedestrian Trails.** As stated above, Circulation Element Goal CIR-2 states the City desires "an interconnected network of bicycle, pedestrian, and transit facilities that accommodate and encourage travel through non-automotive modes." There are currently Class II/III bicycle lanes on both sides of Foothill Boulevard which provide east-west access through the Project area. There is also a Class I bicycle lane on San Bernardino Avenue immediately south of the site along the Southern Pacific Trail in this portion of the San Bernardino Valley. According to Figure CIR-2, Bicycle Routes, in the City Circulation Element, a "priority bike lane will be installed along the southwest boundary of the park to "improve connections between Downtown and Memorial Park".

There are currently sidewalks on both sides of Foothill Boulevard adjacent and east and west of the park Project site. There are also sidewalks on the south side of San Bernardino Avenue just south of the site, although sidewalks are discontinuous along the park frontage at present. The proposed Project will provide a sidewalk connection on the north side of San Bernardino Avenue to the east and west to improve pedestrian circulation in the area. Until a sidewalk is completed along the north side of San Bernardino Drive adjacent to the park, pedestrians can still walk along the south side of the park which is presently level turf. Hospital Way on the west side of the park also

has a sidewalk on the west side of the street with a sidewalk within the park on the east side of the street. Much of the park already has its own perimeter sidewalks or paths. Therefore, any impacts related to bike lanes or pedestrian access will be less than significant and no mitigation is required.

**Roadways.** In addition to the Circulation Element, every county in California is required to develop a Congestion Management Program (CMP) that looks at the links between land use, transportation, and air quality. The San Bernardino County CMP is managed by the San Bernardino County Transportation Authority (SBCTA) which periodically updates the County's CMP to meet federal Congestion Management System guidelines as well as state CMP legislation. The Southern California Association of Governments (SCAG) is required under federal planning regulations to determine that CMPs in the region are consistent with the Regional Transportation Plan.

The CMP does not require traffic impact assessments for development proposals. However, local agencies are required to maintain the minimum level of service (LOS) thresholds included in their respective general plans. If a street or highway segment included as part of the CMP falls below the adopted minimum level of service of E, a deficiency plan is required. A project could conflict with the CMP if the Project were to cause the CMP facility to operate at an unacceptable LOS.

Some of the vehicle trips generated by the development on the park Project site will connect to the CMP network. Under the CMP guidelines, a project must generate at least 50 peak hour trips to require a detailed assessment of traffic impacts under the CMP.

According to the Project traffic consultant (Ganddini Group), the new park improvements would generate approximately 1,085 new vehicle trips to the local roadway infrastructure per day, with 71 and 153 trips added during the AM and PM peak hours, respectively (Table 1, Ganddini 2021a). Based on its assumed trip distribution, Project traffic would generate less than 50 peak hour trips at any one local CMP intersection.

The Project is anticipated to generate fewer than 50 peak hour trips (both actual and PCE based). Therefore, the Project would not contribute to cumulatively considerable traffic impacts due to the relatively small percentage increase in regional trips it represents. In addition, this level of trip generation does not require additional level of service (LOS) analysis based on the City's Guidelines and CMP requirements. Therefore, any impacts related to Circulation Element or CMP consistency will be less than significant and no mitigation is required.

**Summary.** Based on this information, the Project will not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Any impacts will be less than significant, and no mitigation is required.

**b) Less Than Significant Impact.** In response to Senate Bill (SB) 743, the California Natural Resource Agency certified and adopted new CEQA Guidelines in December 2018, which now identify Vehicle Miles Traveled (VMT) as the most appropriate metric to evaluate a project's transportation impact under CEQA (Section 15064.3). Effective July 1, 2020, the previous CEQA metric of level of services (LOS), typically measured

in terms of automobile delay, roadway capacity and congestion, will no longer constitute a significant environmental impact.

The City of Upland Traffic Impact Analysis Guidelines (July 2020)(TIA Guidelines) provide screening thresholds for certain types of projects that may be presumed to cause a less than significant VMT impact based on substantial evidence provided in the Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018). The TIA Guidelines provide the following three screening steps: 1) Transit Priority Area (TPA) Screening; 2) Low VMT Area Screening; and 3) Project Type Screening. A land use project must only meet one of these screening thresholds to result in a less than significant impact determination, as shown below:

**Transit Priority Area (TPA) Screening.** Projects located within a TPA (half mile area around an existing major transit stop or an existing stop along a high-quality transit corridor) may be presumed to have a less than significant impact absent substantial evidence to the contrary. This presumption may not be appropriate if the project:

1. Has a Floor Area Ratio (FAR) of less than 0.75.
2. Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction (if the jurisdiction requires the project to supply parking).
3. Is consistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the Metropolitan Planning Organization); or
4. Replaces affordable residential units with a small number of moderate or high-income residential units.

According to the Ganddini traffic assessment, the San Bernardino County Transportation Authority (SBCTA) VMT Screening Tool determined the Project site was located within a TPA so it meets the TPA Screening Criteria (Ganddini May 2021b).

**Low VMT Area Screening.** According to the City TIA Guidelines, a low VMT area is defined as an individual traffic analysis zone (TAZ) where the total daily Origin/Destination VMT per service population is lower than the City average total daily Origin/Destination VMT per service population. The SBCTA VMT Screening Tool was used to assess low VMT area screening for the Project. The proposed Project is located within TAZ 53650101 and is consistent with existing land uses in the TAZ since it is renovating the existing park. Based on the SBCTA VMT Screening Tool assessment, the baseline (year 2021) Project-generated VMT is equal to 29.4 VMT per service population while the City-established threshold is equal to 35.4 VMT per service population for the City's Baseline Year 2021. Therefore, the proposed Project is located in a low VMT area and it meets the Low VMT Area Screening Criteria.

**Project Type Screening.** Some project types have been identified as having the presumption of less than significant impact as they are local serving by nature, or they are small enough to not warrant assessment. For example, "local serving" retail

projects with less than 50,000 square feet are presumed to have a less than significant impact as they generally improve the convenience of shopping close to home and has the effect of reducing vehicle travel. In addition, the CEQA Guidelines list a number of projects including local parks that are presumed to have a less than significant impact, absent substantial evidence to the contrary, because their uses are local serving in nature or will generally satisfy the CEQA requirements for categorical exemptions.

Any project that uses the designation of “local serving” is required to demonstrate that its users (employees, customers, visitors) will be existing within the community. As such, the Project will not generate new “demand” for the project land uses, but the land uses meet existing demand that will shorten the distance that residents, employees, customers, or visitors will otherwise travel. For purposes of distinguishing between local and regional parks, local area parks are generally recognized as a park maintained by a municipality around 50 acres or less in which the majority of park patrons utilizing the park facilities are from the surrounding residential communities, whereas regional parks are often larger than 50 acres and are maintained by a County or regional parks district. Since the proposed Project is both City-maintained and less than 50 acres, the proposed Project meets the generally accepted definition for a local park. Therefore, it meets the Project Type Screening Criteria.

**SUMMARY.** As demonstrated above, the proposed Project satisfied all three of the City-established VMT Screening Criteria (Transit Priority Area, Low VMT Area, and Project Type). Therefore, the Project is presumed to result in a less than significant VMT impact and no mitigation is required.

**c) Less Than Significant Impact.** The Project is bounded by Foothill Boulevard on the north which provides excellent local and regional east-west access through this portion of the West San Bernardino Valley. Due to the type of improvements and their layout, the park has excellent emergency access and contains no geometric design feature (e.g., sharp curves or dangerous intersections).

Final Project site plans will be subject to review by City recreation, planning, and engineering staff which will ensure that park access intersections and internal circulation are safe, with adequate sight distance, and driveway widths and stop signs are placed where necessary for entering and exiting the site. The Project area is also suburban in nature with no agricultural uses so there is little potential for conflict with incompatible uses. Therefore, the Project impacts due to a hazardous geometric design feature or incompatible uses will be less than significant and no mitigation is required.

**d) Less Than Significant Impact.** The Project site has direct access via Foothill Boulevard on the north and San Bernardino Avenue on the south which provide good area-wide access. Per state Fire and Building Codes, sufficient space will have to be provided around the existing and planned buildings for emergency personnel and equipment to access the entire park site. Park improvements will be required to comply with the California Fire Code in terms of emergency access to new buildings.

Therefore, the park Project will not result in inadequate emergency access. Impacts will be less than significant, and no mitigation is required.

### 4.18- Tribal Cultural Resources

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**a-b) Less Than Significant With Mitigation Incorporated.** AB 52 specifies that a project that may cause a substantial adverse change to a defined Tribal Cultural Resources (TCR) may result in a significant effect on the environment. AB 52 requires tribes interested in development projects within a traditionally and culturally affiliated geographic area to notify a lead agency of such interest and to request notification of future projects subject to CEQA prior to determining if a negative declaration, mitigated negative declaration, or environmental impact report is required for a project. The lead agency is then required to notify the tribe within 14 days of deeming a development application subject to CEQA complete to notify the requesting tribe as an invitation to consult on the Project. AB 52 identifies examples of mitigation measures that will avoid or minimize impacts to TCR. The bill makes the above provisions applicable to Projects that have a notice of preparation or a notice of intent to adopt a negative declaration/mitigated negative declaration circulated on or after July 1, 2015. AB 52 amends Sections 5097.94 and adds Sections 21073, 21074, 2108.3.1., 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3 to the California Public Resources Code (PRC), relating to Native Americans.

The following tribes are listed by the NAHC as having traditional lands or cultural places within the County of San Bernardino:

- Gabrielino/Tongva San Gabriel Band of Mission Indians.
- Gabrielino Band of Mission Indians-Kizh Nation.
- Gabrielino/Tongva Nation.
- San Manuel Band of Mission Indians.
- Morongo Band of Mission Indians; and
- Serrano Nation of Mission Indians.

The City sent AB 52 Native American Tribal Consultation letters on May 3, 2021 to the three local tribes that expressed an interest in being notified of development projects: The San Manuel Band of Mission Indians; the Morongo Band of Mission Indians; and the Gabrielino Band of Mission Indians. On May 11, 2021, the City received an email from the San Manuel Band of Mission Indians (SMBMI) requesting additional information on the Project (Appendix D). The City will continue to coordinate with SMBMI regarding mitigation for potential impacts to TCR. Further, the City sent a request to the NAHC to search their Sacred Lands File (SLF) to ascertain whether their files contained any new information relating to the presence of Native American cultural resources within the Project area generally and on the Project site specifically.

The Project Site has been highly disturbed by modern human activities to create the park that would have likely already displaced surface and subsurface archaeological resources relating to TCR. Moreover, a review of City and cultural records indicate that there are no TCR or archaeological resources relating to TCR (prehistoric and historic) located within the Project's boundaries or in the vicinity of the Project site. However, in accordance with AB 52, which added various provisions to the California Public Resources Code (PRC) that concern TCR, including Section 21080.3.1(d), the City contacted local tribes requesting to be notified of development projects. The City did receive one response from local tribes requesting consultation. However, the possibility remains that previously undiscovered TCR could be uncovered during development of the proposed Project. With incorporation of **Mitigation Measure CR-1**, the Project will not impact TCR's or archaeological resources relating to TCR's. Impacts will be less than significant.

#### Mitigation Measures

**CR-1** In the event that cultural resources (historical, archaeological, or paleontological) are unearthed during excavation and grading activities of any planned park improvements, the contractor shall cease all earth-disturbing activities within a 100-foot radius of the area of discovery and retain a qualified archaeologist/paleontologist to evaluate the significance of the finding and appropriate course of action. Salvage operation requirements pursuant to Section 15064.5 of the CEQA Guidelines shall be followed. After the find has been removed/salvaged for additional study and archiving (if necessary), work in the area may resume.

### 4.19 – Utilities and Service Systems

Would the Project:

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

**a) Less Than Significant Impact.** The City of Upland provides water to customers within its jurisdiction, which includes the Project site. The Project does not propose a residential, commercial, or industrial project which could increase the population or employment within the area. The Project proposes park improvements and the construction of buildings/structures and additional park amenities. The Project site contains existing water, wastewater, storm water drainage, and electric power and the improvement and construction of additional buildings/structures and amenities would not require additional utility services for the continued use of the site. Improvements also include the replacement of dated fixtures and irrigation which will reduce water usage by using up-to-date technology for water conservation.

**b) Less Than Significant Impact.** The Project site is an existing recreational park, and the Project consists of improving the existing buildings/structures and the incorporation of additional park amenities. The Project will not result in an increase in overall population or employment and the proposed expansions and improvements would not require an additional demand for water supplies. The proposed park improvements and upgrades will not result in a higher water demand from what is currently being provided on site as a majority of the improvements are for additional recreational amenities. The Project will have a less than significant impact and no mitigation measures are required.

**c) Less Than Significant Impact.** The Project site is underlain with existing sewer lines and is served by the City's wastewater treatment provider. The Project will involve upgrades to the existing onsite restrooms; however, the upgrades (replacement of toilets and sinks) will not increase the demand for wastewater services and as such, the impact will be less than significant, and no mitigation measures are required.

**d) Less Than Significant Impact.** The Project proposes park improvements and upgrades to the Memorial Park site and solid waste will be generated during the construction and grading activities. The existing/proposed use is not one which will generate a continuous supply of solid waste which would impact one of the existing landfills which the City utilizes for solid waste disposal. The improvements and upgrades for additional park amenities and buildings/structures are considered consistent with the existing use and the improvements will not expand the use which will impact existing solid waste disposal infrastructure. The impact is less than significant, and no mitigation measures are required.

**e) No Impact.** The Project would be required to comply with all applicable federal, state, County and City statutes and regulations related to solid waste as a standard project condition of approval. Through adherence with the current requirements and regulations related to solid waste, the Project will have no impact.

### 4.20- Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities), that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a) No Impact.** The Project site is located within an urbanized area and there are no wildland conditions in the surrounding area. The Project site is not located within a fire hazard zone, as identified on the latest First Hazard Severity Zone (FHSZ) maps prepared by the California Department of Forestry and Fire Protection (CALFIRE). Therefore, the proposed park improvement Project will not substantially impair an adopted emergency response plan or emergency evacuation plan. No impact will occur as part of the Project.

**b) No Impact.** The Project site is located within an urban area with relatively flat topography. The site is not located within a designated wildfire hazard area per the FHSZ maps prepared by CALFIRE). The proposed improvements and development for the existing Memorial Park site will not exacerbate wildfire risks or expose Project users to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. No impact will occur as a result of the proposed Project.

**c) No Impact.** The Project site is the Memorial Park which is located in an area with relatively flat topography and not within an area subject to high fire hazards. The proposed upgrades and improvements to the existing park site will not require, based on the location and topography of the site,

the installation of roads, fuel breaks, power lines, or emergency water sources. The Project will have no impact.

**d) No Impact.** The Project site is located within an urbanized area and the topography of the site and neighboring area is relatively flat and is not subject to wildfire impacts. Based on the overall setting and topography of the Project site and neighboring area, there is no potential for people or structures to be exposed to a significant risks of wildland fire, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, and drainage changes. No impacts will occur.

**4.21 – Mandatory Findings of Significance**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the Project have impacts that are individually limited, but cumulatively considerable?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**a) Less Than Significant with Mitigation Incorporated.** No endangered or threatened species were identified on site during the biological resource survey. As stated in Section 4.4, development of the proposed Project would not cause a fish or wildlife population to drop below self-sustaining levels or restrict the movement/distribution of a rare or endangered species. The proposed Project would also not affect any threatened or endangered species or habitat. Impacts to migratory and nesting bird species would be mitigated to a less than significant level with adherence to **Mitigation Measure BIO-1** which requires a nesting bird survey prior to ground-disturbing activities, as well as limitations on construction in the event nesting species are present on site. Impacts to onsite biological resources are reduced to a less than significant level with adherence to the identified mitigation measures.

There are no unique ethnic or cultural values associated with the site, nor are there any Native American, religious or sacred uses associated with the site. There are also no structures to be demolished that would be eligible for listing in either the National Register of Historic Places or the California Register of Historical Resources, so they are not considered historical resources under CEQA and thus there will be therefore no significant impacts resulting from the development of the Project on these resources. **Mitigation Measure CR-1** will mitigate potential impacts associated with the discovery of unanticipated subsurface historical, archaeological, tribal cultural, and/or paleontological resources during excavation operations. Adherence to regulatory requirements and the recommended mitigation measure would reduce potential impacts associated with cultural, historic, or paleontological resources to a less than significant level.

**b) Less Than Significant with Mitigation Incorporated.** The proposed Project site is designated and used for an existing City park. While short-term construction-related air quality and greenhouse gas impacts would result from construction of the proposed park improvements, due to the Project nature it would not result in significant air quality impacts. Other impacts related to biological resources, geologic and soil conditions, hydrology and water quality, hazards and hazardous materials, and archaeological/paleontological resources are similarly reduced to a less than significant level through the implementation of mitigation measures (**BIO-1**) and the adherence to established City-mandated design and construction standards.

Potential impacts related to geologic and soil constraints and hazardous materials are less than significant due to the type, scale, and location of the proposed Project. It is also consistent with the General Plan and zoning designations and is compatible with surrounding development. No cumulative impacts greater than that those identified in the General Plan EIR would result from either the construction or occupation of the proposed park improvements.

**c) Less Than Significant with Mitigation Incorporated.** Potential noise impacts related to overall construction and the amphitheater are addressed by **Mitigation Measures NOI-1 through NOI-3**. All potential impacts have been thoroughly evaluated and have been deemed to be neither individually significant nor cumulatively considerable in terms of any adverse effects upon the region, the local community or its inhabitants. At a minimum, the Project will be required to meet standard conditions of approval and recommended mitigation measures for the Project. It is anticipated that all such conditions of approval and mitigation measures will ensure that no potential for adverse impacts will be introduced by construction activities or future improvements proposed by the Project. As detailed in the preceding responses, development of the proposed park Project would not result, either directly or indirectly, in adverse effects to human beings.

## 5 Mitigation Summary

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### BIOLOGICAL RESOURCES

**BIO-1 Nesting Bird Survey.** If vegetation removal is scheduled during the nesting season (typically February 1 to September 1), a focused survey for active nests shall be conducted by a qualified biologist (as determined by a combination of academic training and professional experience in biological sciences and related resource management activities) no more than five (5) days prior to the beginning of Project-related activities (e.g., excavation, grading and vegetation removal). Surveys shall be conducted in proposed work areas, staging and storage areas, and soil, equipment, and material stockpile areas. For passerines and small raptors, surveys shall be conducted within a 250-foot radius surrounding the work area (in non-developed areas and where access is feasible). For larger raptors, the survey area shall encompass a 500-foot radius. Surveys shall be conducted during weather conditions suited to maximize the observation of possible nests and shall concentrate on areas of suitable habitat. If a lapse in project-related work of five (5) days or longer occurs, an additional nest survey shall be required before work can be reinitiated.

If nests are encountered during any preconstruction survey, a qualified biologist shall determine if it may be feasible for construction to continue as planned without impacting the success of the nest, depending on conditions specific to each nest and the relative location and rate of construction activities. Any nest(s) within the Project site shall be monitored by a qualified biologist during active construction if work is occurring directly adjacent to the pre-determined no-work buffer. If the qualified biologist determines construction activities have potential to adversely affect a nest, the biologist shall immediately inform the construction manager to halt construction activities within minimum exclusion buffer of 50 feet for songbird nests and 200 to 500 feet for raptor nests, depending on species and location. Construction activities within the no-work buffer may proceed after a qualified biologist determines the nest is no longer active due to natural causes (e.g., young have fledged, predation, or other non-human related nest failure).

### CULTURAL RESOURCES/TRIBAL CULTURAL RESOURCES

**CR-1** In the event that cultural resources (historical, archaeological, or paleontological) are unearthed during excavation and grading activities of any planned park improvements, the contractor shall cease all earth-disturbing activities within a 100-foot radius of the area of discovery and retain a qualified archaeologist/paleontologist to evaluate the significance of the finding and appropriate course of action. Salvage operation requirements pursuant to Section 15064.5 of the CEQA Guidelines shall be followed. After the find has been removed/salvaged for additional study and archiving (if necessary), work in the area may resume.

### NOISE IMPACTS

**NOI-1** To ensure potential construction activity noise levels do not exceed code standards or otherwise annoy or result in a temporary nuisance to adjacent properties, the City and/or its designated contractor, contractor's representatives, or other appropriate personnel shall:

- *Restrict work hours/equipment noise.* All work shall be subject to the requirements in Upland Municipal Code Section 9.140.100M Construction activities, including deliveries, shall only during the hours of 7:00 AM to 6:00 PM, Monday through Friday. Construction activities shall be prohibited on Sundays and Federal holidays. The Applicant and/or its contractor shall post a sign at all entrances to the construction site informing contractors, subcontractors, construction workers, etc. of this requirement.
- *Construction equipment selection, use, and noise control measures.* The following measures shall apply during construction activities:
  - To the extent feasible, contractors shall use the smallest size equipment capable of safely completing work activities.
  - Construction staging shall occur as far away from the adjacent residential properties as possible.
  - All stationary noise-generating equipment such as pumps, compressors, and welding machines shall be located as far from adjacent residential as possible.
  - Heavy equipment engines shall be covered, and exhaust pipes shall include a muffler in good working condition.
  - Pneumatic tools shall include a noise suppression device on the compressed air exhaust.
  - The City and/or his contractor shall connect to existing electrical service at the site to avoid the use of stationary power generators.

**NOI-2** Prior to issuance of a temporary use permit from the City Development Services Department, all requests for events or concerts using amplified sound at the new amphitheater will be reviewed by City Planning Staff to assure the users are aware of City noise limits for such events, including City Municipal Code Chapter 9.40, Unnecessary Noise. The event sponsors shall implement the following to help minimize offsite noise impacts to the satisfaction of the City Development Services Department:

- All special event vendors (e.g., DJs, musical bands, etc.) shall be notified regarding noise-related conditions of approval.
- Outdoor special events and associated audio equipment, sound amplifying equipment, and/or performance of live music shall be limited to the hours of 8:00 a.m. to 10:00 p.m. Monday through Sunday.
- Noise levels shall be kept below levels prescribed in the City's General Plan Noise Element and City Municipal Code Chapter 9.40, Unnecessary Noise, by using a decibel-measuring device to measure music sound levels when amplified music is used.
- Clean-up activities associated with special events shall terminate no later than midnight.
- Outdoor speakers for all scheduled events shall be oriented toward the center of the park and/or away from adjoining residential uses to the greatest extent feasible.
- Padding/carpeting shall be installed under music speakers for early absorption of music.

**NOI-3** The City Recreation Division shall monitor use of the new amphitheater facility by groups or events that use amplified sound or music. The Recreation Division shall enforce the following restrictions on any users or events that repeatedly exceed established noise or other public health and safety standards, or for which repeated complaints from neighbors have been received, including the following:

- If a particular user or event repeatedly exceeds established noise standards, the City shall retain at user's expense a qualified noise consultant to monitor noise levels at the affected property line(s) to determine if the requirements of the Municipal Code Chapter 9.40, Unnecessary Noise, and any event noise-related conditions are being followed during the special events.

If repeated violations of the City's noise guidelines or noise-related conditions occur, the City shall reconsider allowed hours of operation, number of guests, amount of special events per year, or cancellation of requested events as appropriate.

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### **6.1 – List of Preparers**

#### **City of Upland (Lead Agency)**

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- Michael Poland, Contract Planning Manager

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- Pamela Steele, Principal
- Bob Prasse, Director of Environmental Services
- Kent Norton, Senior Project Manager
- Chris Dugan, Director of Air Quality, GHG, and Noise Services
- Phillip Gleason, Senior Environmental Analyst
- Peter Lange, Assistant Project Manager

#### **Ganddini Group, Inc. (Traffic/VMT Data)**

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- Giancarlo Ganddini, President
- Bryan Crawford, Senior Transportation Planner

### **6.2- Persons and Organizations Consulted**

None

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## ENDNOTES

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