Concrete Everywhere: A Project-Based Analysis of the Unequal Distribution of Warehouses in Fontana

Chanah Haigh

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Concrete Everywhere: A Project-Based Analysis of the Unequal Distribution of Warehouses in Fontana

Chanah Haigh

25 April 2023

Read by Susan Phillips and Thomas Kim

In Partial Fulfillment of a Bachelors of Arts Degree in Environmental Analysis at Scripps College
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Abstract:

Unjust legislation and zoning practices drive the excess of warehouses in Fontana, California whose impacts fall disproportionately on low income communities of color. This paper addresses two major aspects of warehouses, the first being the environmental and health impacts they bring, such as poor air quality and asthma. The second section addresses legislation and the use of zoning in the municipal planning process. Both sections integrate the topic of environmental justice and how the impacts of warehouses are not being justly distributed. This paper includes original maps showing the spread of warehouses over census tract level data depicting race, income, and environmental factors such as diesel particulate matter. State and local legislation is analyzed to determine its intended effect and how well it has been enforced. Research was conducted through a project based thesis done in conjunction with Bobbi Jo Chavarria of Fast Forward Fontana, including the publishing of an op-ed, a write up on the Near Road Rule for Assemblymember Reyes, and a guide on utilizing the Inflation Reduction Act for Fontana and other cities like it. This project was created in order to produce different materials which would be useful for the activists in the community, either in a political conversation or in the acquisition of grant funding. The City Council of Fontana uses its power to approve warehouses and run decision making in the town, to lay the impacts of warehouses on Southern Fontana, while the benefits of their economic gains are shared primarily by those outside the city. Thus, the residents of Southern Fontana have their right to be represented by their city government and their protection from environmental degradation taken from them, in service of the logistics industry’s expansion.

Keywords:
- Warehouse
- Logistics Industry
- Inflation Reduction Act
- SB 1000
- Fontana
Chapter 1: Introduction

Under a set of beautiful green hills sits Jurupa Hills High School, where 2,000 students from Fontana, California get their education. A large building of red and beige cinder blocks, it looks like a high school anywhere in the state. However, to the right of it, just past some tennis courts and the track is a large wall, at least 20 feet in the air. Towering on the other side of that wall is a warehouse, brand new and much larger than the school. Above the construction still happening outside, a billboard proudly brags “194,595 square feet available.” This warehouse is the latest addition to “logistic sprawl” in Fontana, the spreading out of the industry which handles shipping, storing, and delivery for much of the nation's products. Two more warehouses will be built on the same block by 2025. As you walk the block around the school, past a couple streets of small houses, there are more heavy duty trucks than there are cars on the road and as you turn the corner down Santa Ana Avenue, warehouses line the street as far as you can see.

Home to 200,000 residents, Fontana is the city second most impacted by warehouses in California’s Inland Empire, the counties of San Bernardino and Riverside. Fontana currently houses 122 million square feet of warehouses, which amounts to 10% of its land (Radical Research, 2022). The city began, like much of the region, as an agriculturally based city. It transitioned to an industrial hub dependent on steel production in the 1940s (About the City of Fontana, 2023). The main industry of Fontana shifted away from industrial jobs with the collapse of the steel industrial market. In its place, the logistics industry, the companies which serve the global system of shipping, online shopping, and the movement and storage of goods around the world, a far less steady and lucrative form of employment, has become a dominant employer in
the region. Fontana serves as a storage locker for this industry, a place to leave goods on their way from one place to another.

Warehouses are most prominent in Southern Fontana, which contributes to existing higher rates of pollution from the Route-10 Freeway running through it. The population of Fontana is 68 percent Latino, with Souther Fontana communities having 80 to 90 percent Latino populations (CalEnviroScreen 4.0, 2021). This is a trend seen throughout the Inland Empire, where 60 percent of people who live within a quarter mile from warehouses are Latino (Muñoz, Phillips, and Ruiz, 2023, 4).

The impact warehouses are having on the health of residents is calculable. As hundreds of thousands of trucks move daily through the Inland Empire, they emit PM 2.5 and diesel particulate matter (Muñoz, Phillips, and Ruiz, 2023, 14). This excess of trucks has led to the Inland Empire having the highest levels of ozone in the nation. San Bernardino County ranks first for the worst ozone in the nation, followed by Riverside County in second (American Lung Association, 2022). The people of Fontana, especially Southern and Central Fontana, have asthma at higher rates than the rest of the nation, with some census tracts in the 70th and 80th percentiles of the state (CalEnviroScreen 4.0, 2021). There are nearly 40,000 cases of pediatric asthma in San Bernardino, which accounts for over six percent of children (American Lung Association, 2022). Children’s health is vulnerable in other ways, as many in the area are getting daily bad nosebleeds that doctors have attributed to the polluted air (Vargas, 2021).
There are impacts other than health and air pollution which fall on the community. In order to build more and more warehouses, homes are torn down and green spaces are covered up by concrete. The neighborhood pictured below is two blocks away from Jurupa Hills High School, in Southern Fontana. It is two rows of streets, completely encircled by warehouses. How could a resident of that neighborhood feel a sense of community with their city, with their neighbors on the other side of the warehouse, when that is between them? What sense of alienation, of separation must occur when your home or your street becomes an island in a sea of industrialization? This kind of fragmentation has to be antithetical to a sense of connection with one's community.

Taken using Google Earth, the blue box shows the neighborhood of houses left standing, among the grey topped warehouses.
The use of zoning practices and other legislative measures have unevenly distributed the impact of warehouses to fall disproportionately on the people of Southern Fontana. This shows that the government is willing to sacrifice the wellbeing of these residents, in the name of logistics expansion—embodying the local critique of organizers that the city places “profits before people.” Pursuit of development as a short term goal has superseded the government’s responsibility to protect and prioritize all its residents and will lead to long term consequences to health and the environment and the permanent waste of land availability, compromising future economic growth. Southern Fontana is treated as an “industrial zone”, a place where the city can pretend people do not live. However, people do live, work, and go to school there and they deserve to be protected from warehouse driven pollution. Though the city is required by two state laws to obtain community input and participation specifically from environmentally overburdened communities of color, they have consistently failed to do so, drawing lawsuits from both local organizations and the State of California. The residents of Southern Fontana are being systematically stripped of both their right to protection from pollution and their right to participate in the democratic process, by their own representatives. The Council repeatedly breaks state law, in order to use its unilateral authority to approve warehouses in Southern Fontana over the objection of its residents, thereby creating a segmented city in which the environmental burden of warehouse development is placed entirely on one part of its population while the promised economic benefits are short term and shared by few.
Background: History of Fontana, the Inland Empire, and Warehouses

Fontana’s history and the way warehouses were allowed to enter and dominate the area is a part of the larger story of the Inland Empire. This region is originally home to the indigenous Cahuilla, Gabrielino, and Luiseño people. They enjoyed the natural bounty in the area of the time, of rabbit, deer, and acorn among other cultivated crops (Castillo, 2023). For many thousands of years they experienced a slightly cooler climate than the area experiences today, with more rainfall and snow. (Patterson, 2014, 21). In 1770, about 43 thousand people lived in Southern California (Patterson, 2015, 33). The late eighteenth century saw the arrival of the Spanish and the irrevocable change of life for the people and landscape of the region. Looking for colonial dominance and cities of gold, the Spaniards announced their claim to the entire pacific coast of North America as early as the 1540s, and began occupying much of California by the 1770s (Patterson, 2015, 51).

Over the next centuries, the population of the Inland Empire would explode along with the rest of Southern California. The chart below includes a selection of population years in Los Angeles, San Bernardino County, and Riverside County according to the US Census.
<table>
<thead>
<tr>
<th>Year</th>
<th>Los Angeles</th>
<th>Riverside</th>
<th>San Bernardino</th>
<th>Fontana?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1880</td>
<td>33</td>
<td>–</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>1900</td>
<td>179</td>
<td>18</td>
<td>27</td>
<td></td>
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<td>1930</td>
<td>2,208</td>
<td>81</td>
<td>134</td>
<td></td>
</tr>
<tr>
<td>1960</td>
<td>6,039</td>
<td>306</td>
<td>504</td>
<td></td>
</tr>
<tr>
<td>2000</td>
<td>9,519</td>
<td>1,545</td>
<td>1,709</td>
<td></td>
</tr>
<tr>
<td>2020</td>
<td>10,014</td>
<td>2,418</td>
<td>2,195</td>
<td>208</td>
</tr>
</tbody>
</table>

Population in thousands. Sourced from Patterson (2015, 29) and US Census Bureau, 2020

Railroads were put down across the West in the late 1800s, reaching Los Angeles in 1876 (Patterson, 2015, 119). This offered easy access and new opportunities to workers, land speculators, and middle and working class people alike. Legal battles began over water, the most important resource in the region. By the 1860s a new force had been established in the landscape as the crops, and the industry of the areas as it became dominated by citrus. Oranges and lemons could be sold for high prices on the market, and the temperate climate of the Inland Empire was perfect for their growth (Patterson, 2015, 120). This drew in workers to farm the lands and lead to great prosperity in the region. By some accounts, Riverside had, in 1893, the highest per capita income in the nation.

World War II signaled a change for the Los Angeles region as a whole. Manufacturing rose as the primary industry, as the country's need for ships and aircrafts peaked. This brought in wave workers to the area, lured by high wages. Nearly one million people moved to the area, just during the war (Patterson, 2015, 187). Fontana’s industry was transformed by the Kaiser Steel Mill, which replaced its main business of citrus and walnuts. Even those who wanted to continue
farming citrus were unable, as the fumes from the factory killed off almost all of the fruit bearing trees. Fontana was chosen for this steel mill due to its proximity to railroads, iron deposits, and the Long Beach ports, much the same reason it’s chosen for warehouse placement (Patterson, 2015, 189).

The collapse of the steel industry in Fontana, and manufacturing in the Inland Empire, drove the rise of warehouses. Kaiser Steel closed its Fontana plant in 1983, setting off a wave of layoffs and depressing the local economy. Unemployment rose and fell sporadically, from under 5% in 1990 to 15% in 1993. The region was hit hard by the financial crisis in 2008, rising from 7% to 15% by 2012 (Patterson, 2015, 212). Trade with many Asian countries grew during this time, and the Los Angeles port became more important than ever for the movement of goods in and out of the US. Proximity to the port combined with available workforce, and real estate tax practices and government subsidies friendly to business became the perfect draw for the growing logistics industry (Patterson, 2015, 215).

The demographics of the Inland Empire changed considerably during this time of industry shift. In 1970, 80% of the population was White and not Latino. According to the 2020 census, the population is now over 50% Latino (Mordechay, 2019, 2, US Census Bureau). Today, nearly one million of the residents of the Inland Empire are immigrants, which accounts for about one fifth of the population. (State of Immigrants in the Inland Empire, UCR, 2023).

Today, the Inland Empire serves as a hub for products moving in and out of the United States. It’s connected by rail systems traveling North and East to the rest of the country, as well
as three airports which service cargo such as Ontario Airport (Bluffstone, 2006, 79). Warehouse numbers grew exponentially. Before 1990, there were a total of nine small logistics centers in the area, a number which grew to 44 by 2004 and an additional 18 planned (Bluffstone, 2006, 80). Presently, the growth of warehouses outpaces that of people, by a factor of five (Muñoz, Phillips, and Ruiz, 2023, 3) There are currently over 4,000 warehouses in the Inland Empire (Muñoz, Phillips, and Ruiz, 2023, 2).

**Literature Review**

The Inland Empire, a historically agricultural region, is faced with the pressures of the growing logistics industry. Companies are using this inland area as a way station for the products which come through the Los Angeles port and Ontario airport. Many scholars have addressed how the influx of warehouses will affect the area and the reasons they have come in the first place. While there has been little study of Fontana specifically, there has been a significant amount of research conducted on warehouses in the Inland Empire as a whole. The ways Fontana is impacted by warehouses is a sample of the effects the whole Inland Empire is facing. Looking through the lenses of environmental justice, the history of zoning, and economics, this literature review will discuss the various factors involved in the creation of this boom of the logistic center in the Inland Empire and address the threats it might pose to the communities there.

The main themes of this study fall into three categories: environmental justice, local land use, and economics. Warehouses are being allowed in the area on the grounds of economic benefit, though that is a shaky claim, due to the unstable nature of the labor market and the high
likelihood of automation (Kitroeff, 2016). They will undoubtedly affect human and environmental health, especially through their reliance on diesel trucks. The fact that the logistics industry is focused in the Inland Empire, specifically, is rooted in environmental racism, and it is necessary to ask how environmental justice may be brought about. It is important when evaluating the effects of the changing industry to acknowledge how it will affect people financially, how it will affect land use and health of the environment, and how it will change the very way of life in the Inland Empire.

_Environmental Justice_

Environmental Justice is a main component in the conversation around the placement of “undesirable” industries and whose neighborhoods they land in. Laura Pulido (2000) writes about the history of Environmental racism in California and its difference to explicit racism. She speaks to how white privilege has historically and contemporarily allowed white communities to claim clean land for themselves and push polluting influences into communities of color. The targeting of the Inland Empire for the recipients of these warehouses is not accidental, rather it is deeply connected to the populations who live there. Quan Yuan (2019) work shows that across the country, and certainly in California, warehouses are far more likely to be placed in low income, communities of color (Yuan, 2019, 333). She also points out the missing pieces of regulation which allow the EPA to regulate the placement of toxic waste centers and landfills but do not recognize warehouses and potentially hazardous sites. While the EPA keeps track of buildings and facilities they consider “locally undesirable land uses”, warehouses are not on that list as they fail to take into account externalities of warehouses, such as the trucks they bring in (Yuan, 2019,328).
Laetita Dablanc (2013) addresses the infrastructure which makes the Inland Empire’s smaller cities and sprawl a draw for the logistics industry. Warehouses are increasingly being placed in low density areas, farther apart, in a phenomenon known as logistic sprawl (Dablanc, 2013). Where once warehouses were located close to either the manufacturer, the final destination, or important stops like ports, they have now spread out into regions like the Inland Empire, which are unconnected to their intended route but able to provide cheap land and space. Dablanc addresses the other reasons the Inland Empire is allowing the expansion of the logistics industry. Local governments, which control the zoning restrictions of their areas, have invited these large purchases of land and allowed the shift to industrial zoning, because they benefit from the tax revenue which will accompany such large companies (Dablanc, 2013, 49).

There is a longstanding movement against warehouses which is rooted in other environmental justice fights. Bullard and Glenn (2000) examine the ways a community might fight back against this environmental racism and claim their agency through grassroots organizing. They address the history of the environmental justice movement, from Warren County to the continued fight, especially in black communities. Lena Freij (2022) in “Centering Environmental Justice in California: Attempts and Opportunities in CEQA” addresses one big tool that communities can use to fight the incoming tide of warehouses. She acknowledges that the California Environmental Quality Act (CEQA) is valuable for its requirements to receive public input on any projects that receive state funding, however notes that it needs to have explicit language surrounding environmental justice considerations (Freij, 2022).
Land Use and Zoning

Another issue concerning warehouses in Fontana is wrapped up in the historically fraught topic of zoning. Municipal governments have the authority to approve what areas are zoned for which uses, which essentially grants the government the ability to choose where warehouses are placed and to sanction individual projects. The history of zoning is deeply entwined with environmental racism. Explicitly and implicitly racist zoning laws established the system in which people of color were kept in inner cities while white people occupied the suburbs (Ross and Leigh, 2000, 372). The initial use of zoning was to protect residential areas from industrial intrusion, with all the environmental impact it brings. On its face, it is a sensible policy, which would protect residents. However, for as long as zoning laws have existed in the US (since 1908) they have been used to exclude people of color from white and upscale areas (Ross and Leigh, 2000, 372). The 1917 Supreme Court Ruling Buchanan V Warley established that explicitly mentioning race in zoning laws was unconstitutional, but other methods were employed by city planners to maintain the status quo (Ross and Leigh, 2000, 372). The cost of rent and the availability of exclusively middle class jobs were tools used to maintain white neighborhoods, along with zoning laws such as ones which only allowed for nuclear families to live together (Ross and Leigh, 2000, 372).

Pulido (2000) maps out the history of land use and environmental racism in Southern California. As white populations moved out of cities in the early 1900s, housing segregation came into effect, which kept black and brown populations in Central LA and San Pedro (Pulido, 2000, 26). Many Los Angeles suburbs were intentionally planned by industries seeking to create towns where their white workers would have housing near their jobs. Zoning laws in Southern
California were codified in the 1920s, which forbade the building of industrial sites in many white housing communities and encouraged them in communities of color (Pulido, 2000, 26). These zoning laws are the basis of much of environmental racism. By isolating communities of color, they could be targeted for waste sites, industrial sites, and the worst kinds of pollution.

Economics

Scholars who have studied the economic effects of these warehouse jobs seem to agree that warehouses are not especially beneficial to either the individual worker or the economy of the region as a whole. Bonacich and De Lara (2009) and Patterson (2015) speak on the shifting state of the Inland Empire’s economic status. While the region had seen an economic boom, with an influx of stable, blue collar jobs, especially in construction, this is no longer the case. Many who came during that period, bought homes and established mortgages, leaving them in a tenuous position with the reduction of the construction, steel, aerospace, and goods industries (Patterson, 2015, 212). The question remains, if warehouse work and the logistics industry would be a suitable substitute for those positions, when high foreclosures, low employment, and increasingly low paying jobs have been the standard in recent years (Bonacich and De Lara, 2009).

The prevailing literature does not paint an optimistic picture for the logistics industry being a stable source of good pay, good work, and good lives. Bonacich and De Lara (2009) point out that many of these jobs are of an extremely temporary nature. Amazon particularly is known for its high turnover of employees, and there are many seasonal jobs, such as the
expansion of warehouse work around the holidays (Bonacich and De Lara, 2009, 2). Bonacich warns that while reliable employment would steady the economy, the temporary, low wage market just incites further financial instability. It is clear that these are not well paid reliable jobs. For the area, the necessary living wage would be $17.48. Only 3% of warehouse workers make that rate (DeSouza, 2022, 1).

Besides offering temporary work, warehouses also provide jobs with very poor conditions, De Lara points out. Trucks are often loaded by hand, box by box, and logistics companies push their workers to be as fast as possible while squeezing in as much product in each truck as they can. Most warehouses operate with high surveillance of their workers, using computers to track how many boxes were moved by each individual employee. This information is used to assess productivity quotas, and workers are disciplined based on their ability to keep up with the set pace (De Lara, 2018, 69). For many of the workers who take on temporary jobs at warehouses, missing their quota one day could mean the total loss of that job (De Lara, 2018, 87). Logistic companies use the same system they use to monitor goods and turn it on their workers, lumping both human and product into the same category of parts in the machine of the warehouse.

The literature, put together, clearly shows a troubling future for an Inland Empire which allows warehouses to dominate, especially when the driving cause of this expansion is rooted in a neoliberalist view which puts the short term economic benefits of warehouses over the long term health and wellness of both the community and the environment. The environmental and human health will be impacted and it will not be a true financial benefit for
low income workers in this area. Activists in Fontana, and the Inland Empire, as a whole are trying to push back the tide of warehouses but there is very little they are able to do under the current regime of local governments. Law suits, protests, and public comments at council meetings are not stopping the development of warehouses. It will take either a strongly enforced state law making effort, or the replacement of current city councilmembers for there to be a true impediment to warehouse expansion. The literature clearly shows that the system in Fontana, where the impacts of warehouses are placed disproportionately on communities of color, with little long term benefit, is the same system which the whole Inland Empire upholds.

Methods

This work is a project based thesis, grounded in community research. It is a mix of analysis on primary and secondary source data, as well as the materials I created through the work of my project. I engaged in community based research, with the direction of Fast Forward Fontana activist, Bobbi Jo Chavarria, as well as opportunities from Professor Phillips and CCAEJ. Throughout my engagement with activists and community groups in Fontana, it was my intention to produce work which would be of use to the community, either in a political conversation or in the future acquisition of grant money. Much of my own understanding of this topic derives from conversations with local activists, such as those mentioned above, attending and watching city council meetings, and engaging in advocacy work with these community groups.
Community Based Research: History of the practice and my engagement with it

Michelle Fine defines participatory action research as a qualitative method which prioritizes attaining knowledge through social connection and empowering knowledge through community action (Fine et al, 2003, 95). This type of community based research is most often executed through community social action groups with the intent of understanding the impacts which issues, environmental factors, or programs have on that community. Fine recognizes the historical struggle for authority, between Outside researchers and Inside experiencers. She established neither as the holder of truth and recognizes that while outsiders have the “freedom and therefore, responsibility” to view and publicly speak objectively and critically, insiders are the necessary arbiters of the strengths and limitations of interactive research (Fine et al, 2003, 96). Community based research began to be practiced in the US by Kurt Lewin in the 1940s. Lewin’s work attempted to erase the distinction between research and social action, establishing the idea that the acquiring of knowledge and the democratic application of it were inherently connected (Fine et al, 2003, 96). Community based research is driven by the community, addressing its own questions, needs, and autonomy. Cherry & Borshuk referred to community research as “attempting to move beyond academic expertise and to place the tools of research in the hands of concerned citizens” (Cherry & Borshuk, 1998, 129).

Randy Stoecker provides a critical analysis of the state of modern community based research. He posits that many research projects have failed in being either appropriately participatory or action oriented (Stoecker, 2009, 385). For a project to be truly community driven, it is necessary for the community to be involved not just in the data collection (self surveys, comments) but in the crucial decision moments about what paths the research will take,
such as choosing the research question (Stoecker, 2009, 387). Stoecker further notes that for research to be community based it should have the intention of action, not simply to publish a paper or a website, but to support communities in their own efforts for change through advocacy or organizing. He claims that other products of community based research, including creating a plan or proposal for change, do not count as action driven (Stoecker, 2009, 391). I have questioned which of these categories my own work fall into, whether some of it could be considered “planning”, but I feel the outcome of the work I did falls into the realm of advocacy.

*Practical Applications of the Project Based Thesis, Materials Created*

The project section of my thesis work involved the production of materials for my own research and the use of the community. I have worked on a variety of projects geared towards local community building and organizing against warehouses, including writing an op-ed, creating maps, and engaging in advocacy work with different levels of government.

I published an op-ed in the Fontana Herald News, written in conjunction with Professor McCarthy, Professor Phillips, and Bobbi Jo Chavrria, as part of the practical application of this thesis. In an effort to bring attention and support to the full impact of warehouses, we wrote about the westward expansion of warehouses and the impact they have on residents. A tension arose in the collaborative writing process which revealed Fine’s Insider/Outsider dichotomy. Professor McCarthy and I were hesitant to be too critical of the town and government, as neither of us were members of the community. Over a line I had written about the city council’s continued approval of warehouses, Professor McCarthy commented “A bit inflammatory - we want action but we're outsiders.” Ms. Charvarria responded “I’m from Fontana and have
submitted multiple opposition comments and letters from Sierra Club and GROW Fontana… how can you be more inflammatory? This debate got to the heart of what it means for community activism to truly be coming from the community. As an outsider to Fontana, I can never claim the authority that Ms. Chavarria holds in her statements on the impact of warehouses within the community. However, I can hope to use the products of this thesis to provide empirical research and uncover and consolidate facts which might assist Ms. Chavarria and her colleagues in their fights for their community.

Much of the work I have engaged in for the project based section of my thesis has been focused on the legislative aspect of how warehouse placement can be regulated or what support can be given directly to communities to help residents deal with the impact of warehouses. This began with a fact sheet on the 2004 Near Road Rule, which was shared with Assembly Majority Leader Eloise Reyes’ office for consideration as part of the rationale for a piece of legislation, AB 1000, that would go into the Spring legislative cycle. I have included this and all materials in the appendix. I spoke at a Fontana city council meeting on the topic of AB 1000, a statewide bill which has the potential to limit where warehouses can be placed in proximity to vulnerable people. I attended a hearing by the committee of Natural Resource in Sacrement with CCAEJ on the same topic, where we lobbied assembly members to keep the bill alive. The Fontana city council members were predominantly opposed to the bill, or any substantive restrictions on warehouses, and the assembly members were unenthusiastic, though they passed it through committee. It was revealing to see the interplay between state and local politics over a specifically regional issue. The bill only affects a few districts, and yet it is being passed through the state house. There was a feeling among our organizing groups that it was an inherently local
issue, and yet its fate will be decided by those with little stake in the outcome of the very community most affected. Throughout these events, I got to ask questions and hear the opinions of organizers who not only work on this issue, but live in it. Being able to join them in their protests of warehouses, has allowed me to engage with the topic, not just as an academic but as a neighbor.

I delved into the Inflation Reduction Act, the 2022 law passed by the Biden administration which has been hailed as the most sweeping piece of environmental legislation in history. It places a focus on communities of color and those overburdened by pollutants and could provide grants towards installing air filters in homes, creating community spaces and buffer zones between warehouses and residences, as well as job creation through electrification. I created a rundown on the law which I hope can be used to get lawmakers and the industry interested in obtaining federal funding. These types of government funding requests take months to years to process, and as such will not be completed within the timeline and scope of my own research, but it is my hope that my work will provide an initial step to such a process.

As part of my primary source data, I created a series of maps which show the placement of warehouses over different demographics and environmental realities, by census tract. I sourced data from CalEnviroScreen and the ACS survey. The data for warehouse placement is from the Warehouse City Tool, made by Radical Research for the Robert Redford Conservancy. These maps will be used throughout the thesis, in order to better reveal the unjust distribution of warehouses and the impacts they have.
As is the case with most social action work, it will be left up to time to determine if the materials I produced have their intended impact. My work and involvement is a small part of a large movement concerning warehouses. I largely took a backseat in the decision process of what materials would be useful, following the lead of Ms. Chavarria on what she felt the community could use. The planning of the project went through many iterations and it was at times difficult to balance the timeline of an established institutional thesis, with the inherent pace and flexibility of community based work. However the work I did complete will, I hope, be useful to the community and local organizers in their continued efforts against warehouses and the governments which flagrantly allow them without considering the human and environmental costs.

**Roadmap**

This thesis will examine the impacts of warehouses in Fontana, the unequal distribution of these warehouses and the reasons behind it, and finally the legislation which has been used both on behalf of warehouses and on behalf of residents against warehouses. Chapter Two will address the environmental and health impacts of warehouse proximity and concentration. It will use a variety of original maps which compare pollution data to warehouse placement and establish links between warehouses and poor air quality, as well as the relationship between the placement of warehouses and demographic factors such as income and racial makeup. Chapter Three will focus on the way the City Council of Fontana plays a part in the placement and continued allowance of warehouses in Southern Fontana. It examines a history of ignoring state legislation such as the California Environmental Quality Act and using local ordinances to encourage the placement of warehouses in Southern Fontana and reduce restrictions on them. It
addresses the use of zoning to create districts where residents are unprotected from warehouse pollution. Chapter Four delves into new, promising legislation that has the potential to provide protection and support for residents of Fontana. It addresses a newly passed campaign finance law and a proposed bill which limits the proximity of warehouses to sensitive receptors, and questions what power will have to be invoked to protect Fontana residents from warehouses and their own government. Throughout these chapters, the materials I created as the practical application of this project will be used as primary source data or further argument. This paper will show how the Fontana City Council uses legislation and zoning practices to force Southern Fontana to bear the brunt of environmental degradation brought on by warehouses, under the guise of economic development, revoking the rights of their own citizens to clean air and a part in the democratic process.
Chapter 2: Impacts to the Environment and the City

This chapter addresses the environmental and structural impacts of warehouses within Fontana. This establishes the link between warehouses and poor air quality, as well as the health consequences which accompany them. It also addresses the changes of land use which are caused by warehouses and how they impact the community. This section addresses the impacts of warehouses on both ehealth and community, and establishes on whom those impacts fall.

Scale of the Issue

The effects warehouses have on air quality and health is primarily produced not by the facilities themselves but by the trucks they draw in daily. Warehouses bring in hundreds of thousands of trucks daily, to move their merchandise in and out of the Inland Empire. These trucks will emit diesel particles into the air, pollution which gets trapped against the mountains, damaging air quality in the area. (Bluffstone, 2006) This is a problem only exacerbated by the logistic sprawl. There are over 4,000 warehouses in the Inland Empire, serviced by 600,000 trucks daily. Their combined impact accounts to 1,000 pounds of DPM, 100,000 pounds of NOx, and 50,000,000 pounds of CO2 daily. (Muñoz, Phillips, and Ruiz, 2023, 2). This impacts air quality locally, and global climate change. In Fontana, there are about 325 warehouses and over 150 more planned for the next three years (Muñoz, Phillips, and Ruiz, 2023, 14 & MCN Projects Public, City of Fontana).

This is a huge expansion which shows the issue of warehouses and all their consequences is only growing. The current 325 warehouses are serviced by 53,000 trucks a day.
This produces 70 pounds of particulate matter, 8,300 pounds of NOx, and 4,480,000 pounds of CO2 daily (Muñoz, Phillips, and Ruiz, 2023, 14). Though factors like the two freeways running through town and the systematically poor air circulation caused by the ocean-inversion effect no doubt are big players in the cause of Fontana’s air pollution, it is undeniable that the sheer number of trucks brought in by warehouses worsens the pollution.

**Health Impacts**

These air pollutants cause many health conditions in both previously healthy people and vulnerable populations. Diesel particulate matter (DPM), a substance largely emitted by trucks, was named a toxic air contaminant by the California Air Resource Board (CARB) in 1998 (CARB Overview: Diesel and Exhaust, 2023). DPM is a very small particle of matter, with a mean diameter of 0.2 micrometers, though about a fifth of these particles are as small as 0.05 micrometers. This puts them firmly in the category of Particulate Matter 2.5 (particles in the air under 2.5 microns), a type of pollutant which is considered more dangerous to human health than Particulate Matter 10 due to its small size allowing it to stay in the air much longer (Li et al, 2018, 178). PM 2.5 causes a variety of health concerns, mostly respiratory, including asthma, as well as cardiovascular and autoimmune diseases (Li et al, 2018, 179). PM 2.5 is also correlated with higher rates of heart arrhythmias in teens (Muñoz, Phillips, and Ruiz, 2023, 35). There is a strong link between diesel particulate matter and both asthma and cancer. In southern California, it’s estimated that 70 percent of the cancer risk which comes from air pollution can be attributed to diesel particulate matter (Douglas et al, 2019, page 2).
Figure 1: This DPM data is sourced from CalEnviroScreen 4.0. Warehouses are represented in black. Credit: all the warehouse polygons I used in the creation of these maps originate from the Warehouse City Tool (by Radical Research in collaboration with the Robert Redford Conservancy)

It becomes clear when examining this map of diesel particulate matter percentiles by census tracts overlaid with warehouses that there is a link between warehouse placement and poor air quality. The levels of DPM in Southern Fontana exceed the 80-90th percentile in the state, which shows the severity of the pollution, especially as California as a state is not known for its clean air. Northern Fontana, with fewer warehouses and more green space, has better levels of DPM, with levels as low as 20th percentile. The tract in the southwestern corner, which is almost completely full with warehouses, and home to some of the oldest in Fontana, is in the 90th percentile, meaning it has greater levels of diesel particulate matter than 90% of the state. The census tract in the lower third of the city, crossing it horizontally, with the majority of
warehouses, is in the 78th percentile. This is also the area which is about to see the greatest increase of warehouse development, which will surely worsen its air quality further. The map below shows, in blue, the planned and approved warehouses which will be built in the next five years.

![Figure 2. Future Warehouses represented in blue.](image)

**City Planning and Land Use Impacts**

One major impact of warehouses, beside their effects of environmental and human health, is their dominance of land use. Warehouses take up a lot of space. In Fontana, they account for
over 10% of the city’s land (warehouse city tool). This is all land which could be used for other purposes such as residences, public areas, commercial space, or manufacturing.

*Parks*

![Parks diagram](image)

**Figure 3.** Current warehouses are represented in red. Planned warehouses are blue. Parks are green.

Warehouses sourced from Warehouse City Tool. Park data sourced from Fontana Park locator.

This map of official parks of Fontana was originally created as part of a project to determine how close warehouses are being placed to the larger sensitive receptors, such as parks, hospitals, nursing homes and preschools. What I found, upon completion of the map, was that warehouses weren’t often placed next to parks. In fact, there were no parks in those areas at all. The parks, at least the ones recognized by the city of Fontana (via their park locator website),
were mostly placed in central and Northern Fontana. This brings up the other side of the coin which is land use in Southern Fontana; it is not just that warehouses are built and the impact of these warehouses is harmful, it is also that they take up the majority of land space which could and should be going towards residential and community spaces. Access to green space, such as public parks, and other open spaces, has mitigating effects on levels of diesel particulate matter in the air (Douglas et al, 2019, page 1). Therefore, warehouse heavy areas should be interspersed with green space in order to counteract their air pollution. Southern Fontana is the area most in need of green spaces to reduce their air pollution concentration, and yet their green space is taken away to provide more land for warehouses.

It is really telling, in the layout of this city, that Northern Fontana is given a variety of parks and green spaces, while Southern Fontana is filled with warehouses. This is an example of the unjust designation of spaces in Fontana, which will be elaborated on in the next chapter. It’s worth noting, these are only designated parks, not green space in general. I included all the parks and outdoor recreation areas that Fontana has on their website, because I was interested in where the City of Fontana intentionally chose to place the parks. There is a green space in Southern most Fontana, which is used for recreation and wildlife, but it is soon to be developed into a residential area (Park Locator, City of Fontana, 2023).

**Housing**

As warehouses have expanded, they have torn down houses, and used up land on which more homes could have been built. In order to keep up with housing needs, residential areas are expanding into what was open land. The base of Southern Fontana, south of the warehouses and
the industrially zoned space, is specifically zoned for the South Park Residents. There is currently a great deal of open, green space in that area which is being used frequently by residents for recreational purposes, such as hiking and mountain biking. It sits adjacent to the South Ridge Housing development. The city voted in January to conduct a land swap with a developer, such that they would turn over ten acres of that parkland to be developed into housing, with a set aside natural area (Ingold, 2023, Fontana Herald News). The City Council claimed the developer would take care of the area, and save the city the cost of upkeep. Of the 30 letters which the council received from the community on the topic, 29 were opposed to the plan, and yet it passed four to one through the Council (Ingold, 2023, Fontana Herald News).

Another housing development has been approved for a piece of currently undeveloped land in Northern Fontana. The Ventana Project at Duncan Canyon will supply 1,671 residences on 105 acres of land. The number of houses intended for the project nearly doubled from the 829 intended when it was proposed in the early 2000s (Ventana at Duncan Canyon Specific Plan Amendment, 2022, 10). The project will also include commercial and office space. What is currently open space, as depicted below, will soon be highly developed.
These are both projects which could have been built on the land currently occupied by warehouses, land which was already developed, rather than encroaching on green space in the city. Community activists have expressed to me their frustration that it is this land being used for a housing development, rather than the land slated for warehouses. This housing development is an example of the toll warehouses have on a community’s land use. Not only are houses and neighborhoods torn down to make way for warehouses, by taking up the space in the city which could be housing people, the community is forced to lose an important green space.

We see here that the use of already partially developed land is going to warehouses, rather than houses. This pushes housing developments into land which is currently green space.
This reduces access to greenspace for residents, as well as developing an important piece of land for native plants, animals, and environmental health. This will further reduce air quality, as plant life and open space will decrease.

As demonstrated in the chapter, the impacts of warehouses are both physical and social. The polluting of air, the attack on human health, and the reduction of green spaces are the result of this overabundance of warehouses and it truly affects quality of life in Fontana. The question remains, who is most targeted for these impacts?
Who is Most Affected?

Figure 4: This map reflects Tidy Census 2016-2020 5-year ACS data. Warehouses sourced from Warehouse City Tool.

The concentration of warehouses in certain census tracts and neighborhoods is closely related to the income and race of those residents. Figure 4 displays the median income for each census tract overlaid with warehouse placement. Existing warehouses are represented in black and planned warehouses are in blue. The two census tracts with the greatest concentration of
warehouses have median incomes of $56,176 and $75,117. This income is higher than the census tracts directly to the north of them, which are primarily between $30,000 and $50,000. However, both of these sections have much smaller incomes than that of Northern Fontana, which has median incomes mostly above $100,000 and as high as $148,805 (Tidy Census, ACS).

Warehouses are placed in Southern Fontana for a variety of reasons, which I will elaborate on in the next chapter, but surely the cheaper cost of land and the NIMBY-esque ability which wealthy neighborhoods have to keep undesirable developments out of their communities play a part. This must refute the argument that more warehouses equals more economic stability. It is clear the economic benefits of warehouses are not shared with the residents of this census tract.
Figure 5: Data gathered from CalEnviroScreen 4.0. Warehouses depicted in black. Warehouses sourced from Warehouse City Tool.

There is further correlation between warehouses, income, and race in Fontana. Figure 5 shows the percent of the census tract which identifies as Hispanic according to CalEnviroScreen 4.0. The vast majority of people in Fontana are Hispanic or White (or both). In the southwest corner with the greatest concentration of warehouses, 75% of the population is Hispanic. The horizontal census tract with the other set of warehouses is 66% Hispanic. This is opposed to
Northern Fontana which is mostly 35 to 50% Hispanic except for the Northern census tract with the one cluster of warehouses, which is also 66%.

Figure 6. Demographic data gathered from CalEnviroScreen 4.0. Warehouses sourced from Warehouse City Tool. Warehouses depicted in black.

The above map displays the percentage of each census tract which identifies as White. The highest white population is in Northern Fontana, where it ranges from 10 to 33 percent. In the warehouse heavy tracts, eight percent and twelve percent of people identify as white. People
of color are the majority throughout all of Fontana. The placement of warehouses in the predominantly people of color Inland Empire is itself an example of the environmental racism occurring in placement decisions. On a smaller scale, within the North/South divide of Fontana, you can see the same protection being given to the whiter, richer areas, where they, largely, do not have to deal with warehouses. In the next chapter, I will discuss how this system of uneven distribution is upheld by the local government.
Chapter 3: Why Here? Zoning, Lawsuits, and The Relationship with Local Government

The impacts of warehouses, laid out above, are allowed to be placed, almost exclusively, on Southern Fontana due to a variety of zoning practices and city ordinances which have been established by the City Council in the last few years. The approval process occurs at the sole discretion of the city council, without appropriate input by the community, as mandated by California law. The result of this zoning and the introduction of pro warehouse ordinances are a revocation of protections and rights to the people who will be most impacted, with the implicit message from the council being that these people matter less than the warehouses which take over their neighborhoods. This chapter will examine the practices which the city council uses to establish this system, the state laws which they violate in doing so, and the consequences that this targeted legislation brings to life in Southern Fontana.

City Council: Its Power and Personality

There is a great deal of tension between anti warehouse activists and the city council. Seemingly routine city council meetings with any warehouse topic on the agenda are rife with small conflicts and people interrupting each other. The city council has almost complete power to approve warehouses wherever they want and they are incredibly favorable to warehouse development. Their preference is so clear, Mayor Warren has been nicknamed “Warehouse Warren” by many opposing groups. Though they are meant to be somewhat restricted by state laws, the Council often utilizes discretionary power, sometimes illegally, to pass ordinances and approve warehouses without the consent of many of their residents. The decisions the council makes have a significant impact on the lives of their residents. At a public hearing I attended,
one woman gave public comments about how she, as an adult, had been diagnosed with asthma.

Another spoke about her young son waking up to a bloody pillow, from nosebleeds every morning. They came to ask their city council to stop bringing in the development which is causing their health problems. The council was, except for one member, completely uninterested in their commentary, with the Mayor scrolling on her phone during anti warehousehouse public comments, before voting in favor of warehouse development.

The Fontana city council and mayor are predominantly pro-warehouse. Their records on previous votes have shown only one council member consistently votes against warehouses being built. In June, 2021, Mayor Acquanetta Warren and Council-members Phillip Cothran, Peter Garcia, and John Roberts all voted for the zoning change which would allow the Slover and Oleander warehouse to be built directly adjacent to Jurupa Hills High School. Council-member Jesse Sandoval was the only opposing vote (Ingold, 2021).

The legal system has been overly favorable to warehouses throughout the Inland empire and within Fontana. Activist groups like Grow Fontana and CCAEJ call out for reform of warehouse laws, protection for residents and sensitive areas. However, lawmakers on all different levels seem unable or unwilling to pass and enforce effective laws which make change. Even the laws that are passed and are intended to increase community engagement in decision making and require local government leaders to consider the health of well being of vulnerable residents, are being ignored. This created a great deal of frustration in activists in the city and ultimately led to semi-successful lawsuits as will be shown in this section.
**AG Bonta v Fontana: How the Council Circumvents the Legal Process of State Law**

The City Council has a history of ignoring state law and approving warehouses at their own discretion. In April of 2021, the City Council approved a 205,000 square-foot warehouse, directly next to Jurupa Hills High Schools (Bonta, 2021, 3). The approved Slover and Oleander Warehouse is expected to bring in over a hundred trips by trucks daily and nearly 300 car trips, all to a street shared by 2,000 highschool students. The plan involved building 22 truck docks with 40 truck parking stalls, as well as the addition of 95 non truck parking stalls (Briscoe, 2022). The approval process that the council engaged in was missing key steps, including the publishing of an Environmental Impact Report, a document which lays out all the effects a given project will pose on the environment and the nearby people. This report is a requirement of California Environmental Quality Act (CEQA).

This violation of state law brought the City Council to the attention of Attorney General Bob Bonta, who, in 2022, sued the City Council in conjunction with local activists organizations (Bonta, 2021). Bonta grounded his suit in the blatant disregard for the CEQA process, due to the lack of Environmental Impact Report and the failure to even attempt mitigating actions which would reduce the impact of the project. Bonta wrote in his suit that the Council had failed to “analyze, disclose, and mitigate the Project’s environmental impacts” (Bonta, 2021, 2). Specifically, they had treated the project as though it were the only warehouses around, rather than one of many. When they did provide an air quality report, they exclusively reported on the air pollution of one warehouse of its size, not the cumulative effects of the whole system. They concluded from these findings that the warehouse would have little effect on the environment.
and used that as justification to not submit an Environmental impact Report. CEQA requires that a government or developer take whatever measures they can to mitigate the impact that a development project like a warehouse has on the nearby community. The Council took no such actions. They also failed to disclose to the state that they had approved many more warehouses in the same neighborhood (Bonta, 2021, 9). All of these actions are violations of CEQA.

The CEQA process, and specifically the publishing of an Environmental Impact Report is important, not just to have the estimated impacts of a project on record, but because it provides time for the community, or anyone else, to publicly comment on the project. There is no responsibility within CEQA, for the government to act on any of these comments, but they must acknowledge them and state why they are being dismissed. These public comments can be used as the basis for any future lawsuits, as proof that the city knew of environmental issues and yet did nothing to address them.

This period of public comments should, theoretically, be an opportunity for the residents of Fontana to voice their opinions about a project and have those options be taken into consideration by their government. In Fontana, community concerns are generally ignored and there are rarely changes made to planned projects based on public comments. There is a prevailing feeling among the activists who I have spoken to, that the decisions are already made behind closed doors by the politicians of the town, and the public comment period is largely decorative. By not allowing the citizens of Fontana to openly oppose the warehouse, in a statewide forum, the City Council took away their rights and ability to have a say in their cities’ planning. This is not the first violation of this right, as the next section will show.
On April 18, 2022, a settlement was reached by the City of Fontana and the Attorney General establishing that while the warehouse building would go through, there would be concessions made to the community (Williams, 2022). The settlement requires the developer, Duke Realty, to spend $210,000 on buffer zones and air purifiers for the 1,750 surrounding homes (Briscoe, 2022). The settlement also required that an ordinance would be passed in the City of Fontana, which regulates the building of warehouses in the city. The ordinance maintains that buffer zones, 300 feet in width, be placed around warehouses of more than 50,000 square feet, with drought resistant trees planted. For warehouses of over 400,000 feet, their internal operations, excluding refrigeration, must be entirely solar panel fueled and forklifts must be zero emissions. It also requires that loading docks be at least 300 feet from sensitive receptors, such as homes, schools, hospitals, and parks. Though indoor use vehicles like forklifts are required to be zero emission, it makes no such requirements on the diesel fuel trucks which haul in and out the products daily (City of Fontana, Ordinance No. 1891).

The city doesn't seem to have learned anything from this lawsuit or the subsequent ordinance put in place. The developer just submitted CEQA papers to put an even bigger warehouse on the same block with no discouragement. This lack of moral development is unsurprising given what the mayor said in a press release announcing the settlement. “First and foremost, your city did nothing wrong,” Warren announced, days after the settlement. "Duke Realty did nothing wrong" (Ingold, 2022).
**Violations of SB 1000: No Community Input**

The City’s history of ignoring the requirement of community input and indeed, its legal troubles with the state have a longer history. Other requirements for community input, which the Fontana City Council has violated include the State Law SB 1000 which governs the creation of a Master Plan which every city puts out once a decade. The master plan addresses, among other things, the intentions of the city for what they will build and where, their long term development goals, and their establishing of climate resilience and adaptation. SB 1000 also, specifically, requires that the city identify and solicit the opinions of any “disadvantaged community” within their justification. It goes further to say that the city should prioritize projects and plans which meet the needs of these communities. The law defines “disadvantaged communities” as areas which are predominantly low income or overburdened by environmental degradation and pollution (SB 1000, 2016). The law does not identify what criteria classifies a community as overburdened by pollution, and thus leaves it up to a city’s discretion (Beccera, 2018, 2). This law is an effort by the state to reverse and ameliorate the decades of environmental racism which has caused communities of color and low income communities to have degraded harmful environments. SB 1000 requires that when a city is drafting its general plan, the intentions of the town for the next decade, they must identify their environmental justice communities and take steps to reduce risks to those communities which might be incurred by the proposed development of the city.

In 2015, the City Council published its draft for the 2015 to 2035 General Plan Update. It is a plan which strongly supports the continued expansion and development of warehouses in the city. It frequently mentions “high quality development” and “good jobs for Fontana
residents, so they can work where they live” (Masterplan, 2018, 1.5). They also write of maintaining, but not expanding industrially zoned areas, and not isolating residentially zoned areas among industrial (Masterplan, 2018, 15.7). This has been exactly the opposite of what is occurring in Southern Fontana, where small communities and houses are boxed in by warehouses, as seen in the first image of this thesis.

In 2018, then Attorney General of California, Xavier Beccera, wrote an official letter to the Senior Planner of the Fontana Planning Department, Dawn Rowe, in which he expressed his "concerns with the methodology used by the City to identify its disadvantaged communities and its failure to consider additional EJ policies that work toward addressing the environmental justice issues in Fontana” (Beccera, 2018). He noted that the city had not made enough of an attempt to identify their disadvantaged community, or to prioritize their well being in the planning process. This led the city to add an Environmental Justice Appendix to their Master Plan. This Appendix Six is the last section of the plan. It does attempt to identify low income areas of the city. However, it does not include warehouses when it looks for pollution burdens. Instead it just states that there are low levels of “hazardous waste” in Southern Fontana and concludes that the only overburdened area of the city is Central Fontana. (Appendix 6, 2015, 20)

This appendix clearly ignores the entirety of the pollution burden being placed on Southern Fontana and the reasons behind it. AG Beccera points out “the City has not addressed the core environmental justice concerns in the City-the concentration of industrial land uses in or adjacent to low-income areas in southern Fontana and the concentration of truck traffic in the same area.” It is very convenient for the city, in their pursuit of warehouse development, to not
acknowledge and intentionally obscure the impact that warehouses have on residents and the environment of Southern Fontana. In doing so, they further subjugate this population, by taking away not only its right to be identified in the protections of SB 1000 but also their right to own the environmental pain they have endured.

Further, this attempt at a solution clearly misses the point of AG Beccera’s criticism and SB 1000 altogether. The implication that all that’s necessary to address Environmental Justice is to add an appendix to an already completed plan is in direct opposition of the law. SB 1000 is entirely centered around getting the input of these communities and using it to formulate a plan which prioritizes them, not has them as an afterthought, an appendix. The city has an obligation, under SB 1000, to create a plan for their city which addresses the needs of those most impacted by warehouses, specifically those in Southern Fontana. And yet, they drafted plans for the next 20 years which prioritize warehouse building and completely ignore the needs of those most impacted by them.

We see in the violation of these two laws a pattern of ignoring their own citizens, which the City Council engages in. They not only fail to seek the required input of their residents, denying their right to be seen and heard by their government, they specifically hide the impact which their continued approval of warehouses has on the community of Southern Fontana. By not filing Environmental Impact Reports and not including Southern Fontana in their Environmental Justice Appendix, they are able to continue their warehouse development while denying the very fact that it harms both communities and the environment.
Challenging the Definition of Sensitive Receptors

As well as violating state law, the City Council uses their power to pass ordinances which revoke protection from warehouses to those in Southern Fontana. This section addresses the ordinance the City established which changes the definition of “sensitive receptors”, in part to destroy the effectiveness of the ordinance which they were forced to put in place in response to the Bonta settlement.

The proliferation of warehouses in Fontana is in large part due to the City Council which welcomes them in for their tax base and the other benefits which they feel they will contribute to the community. In an interview with KVCR 91.9, Mayor Warren praised warehouses for providing jobs locally, noting that they reduce the emissions of Fontana residents having to drive far distances for work (Linden and Warren, 2021). The city government is responsible for approving projects in Fontana, specifically the building of warehouses. They are also the entity which both writes, and approves Environmental Impact Reports. City governments have a great deal of authority to invite warehouses into their town or prevent them from being built. They also control, to an extent, how much impact warehouses are allowed to have on the community. Given this power, it’s crucial to examine local laws and regulations when considering the impact of warehouses on a single town.

In December of 2022, on the heels of AG Bonta’s visit and the adoption of the ordinance, a change was adopted to chapter nine of the city ordinances which redefined the term “sensitive receptors”.
Section 6. Amendments to Chapters 9 (Environmental Protection and Resource Extraction), Article V of the Municipal Code, as follows:...

Sensitive receptor shall be defined as schools, preschools, daycare centers, in-home daycares, health facilities such as hospitals, long term care facilities, retirement and nursing homes, community centers, places of worship, parks (excluding trails), prisons, dormitories, and any residence including; private homes, condominiums, apartments, and living quarters, where such residence is that are not located on a parcel with an existing industrial, commercial, or unpermitted.” (Fontana City Council, Ordinance No. 1906, 2022)

The implications of this change is that residences which exist within industrial, mixed use, or commercial zones are no longer legally considered sensitive receptors. Sensitive Receptors are usually offered certain rights such as the right to have buffer zones between them and warehouses and other emitters. This is especially true since the implementation of Ordinance 1891 which was passed in the wake of the Bonta suit and requires a 300 foot buffer between sensitive receptors and any warehouse over 400,000 square feet (Ordinance 1891, 2018, page 3). There’s no legal need for this buffer zone, if houses don’t count as sensitive receptors anymore. This new ordinance revokes that protection from the people who need it most, those living in industrially zoned areas where the warehouses are. This law ignores the existence of vulnerable people whose homes are now no longer given the protection they deserve, due to the government given designation of their neighborhoods. This is inherently a law that will adversely affect some neighborhoods more than others, placing a higher burden on the people who already live in areas with higher acceptable levels of polluters. In order to find out more, I analyzed Fontana zoning designations.
Figure 7. Blue represents Regional Mixed Use. Red is Commercial Use. Grey is Industrial Use.

Data gathered from the Fontana City Zoning General Land Use Map. Warehouses sourced from Warehouse City Tool. Blue represents Regional Mixed Use. Red is Commercial Use. Grey is Industrial Use.

This map shows the General Plan Zones which will be affected by this ordinance overlaid with warehouses. All the homes in these zones will be unprotected from warehouses as
sensitive receptors. These zones cover a large section of the city and are, of course, the areas most populated by warehouses. This map reveals that the majority of land in Fontana which will fall under these new definitions, is in Southern Fontana. This will be most impactful on the residents of Southern Fontana whose homes’ will not be protected as sensitive receptors. They are also the area most in need of this protection, as it is the area with the greatest concentration of warehouses.

Figure 8. Zoning data gathered from the Fontana City Zoning General Land Use Map. Warehouses sourced from Warehouse City Tool.
You can see in Figure 8, which includes planned warehouses, that most of them are going to be built outside of currently industrially zoned areas. This flies in the face of the Master Plan's supposed commitment to only develop industrial areas, and not expand into residential areas. The reality is the industrial zones are almost entirely at capacity for warehouses, and as the city intends to continue approving more, they will have to expand their industrial zones and encroach further and further into the city.

There is a logical inconsistency in this new definition of “sensitive receptors”. It continues to include larger institutions such as schools as sensitive receptors, acknowledging that children are a vulnerable demographic which should be protected. However, it fails to acknowledge that children continue to be vulnerable once they’ve gone home, to their often nearby houses, where they cease to be considered sensitive receptors. If children should not be in proximity to warehouses at school, they should probably also not be in proximity to warehouses sleeping in their own beds. This is clearly a law with no bearing in science of the reality of vulnerable people, but rather one created entirely to free up land which can be used for warehouse development and reduce any restrictions on that expansion.

This zoning law brings up the questions of “who gets to matter” and “who gets to be safe in their homes?”. Leaving schools, hospitals, community centers, and places of worship as sensitive receptors, and only revoking the status of residents is an acknowledgement that people should not be in close contact with warehouses, but that exclusively the people who live in close contact are not worth that protection at the cost of free warehouse development. It is further telling that the repealing of sensitive receptor status does not extend to all residents in Fontana,
but exclusively the ones in commercial, industrial, and mixed use zones shows a lack of value for the health and wellbeing of these people specifically.

Many people live in this section of Southern Fontana which has been dubbed “industrial”. Between the warehouses are neighborhoods of mostly small homes with well kept lawns and solar panels on the roofs. Designating these areas as “industrial” is a denial of the people for whom these streets are very much residential. Their residence is further denied by this revocation of their status as “sensitive receptors”, including the revocation of their rights as breathing people to be protected from the harms of warehouses. During the public hearing in which the City Council discussed and voted on this ordinance, community members spoke with emotion and even tears about their fear for the health of their parents and grandparents. One homeowner expressed her anger that the protections of her house were being taken away. The City Council did not acknowledge the effect this change would have on members of the community. Mayor Warren, during the relevant city council meeting stated, “This city has a motivation… to make sure that we are keeping everyone safe.” Then, she voted to revoke the definition of sensitive receptor to many of her city's residents, including those who had spoken in opposition at that meeting (City Council Meeting Recording, 2022).

The people of Fontana have had two rights revoked through the actions of their own City Council. The first is their right to engage in democracy, to make public comments, to be recognized by their government as the pollution burdened community they are, and to have a say in the planning of their city. The second is their right not to have their homes, lives, lungs, be directly inundated with closeness to warehouses and all the pollution that comes with it.
Chapter 4: New Legislation, What can be done?

This chapter addresses legislation which might prove a path forward, if not to get rid of warehouses, to limit their ability to affect the environment and communities. It addresses the unique challenges involved in regulating warehouses, a promising law which might limit industries influence over local lawmakers, and the two bills battling it out in the State Assembly.

There has been a lot of failure when it comes to attempts at regulating warehouses by the State. Almost every warehouse activist and expert I’ve spoken to seems less than optimistic that warehouses in the Inland Empire will ever go away, or that the flow of new warehouses will stop anytime soon. The prevailing sentiment seems to be “we’re not fighting a battle, we’ve already lost.” There is a huge amount of political power and capital being thrown at opposing legislation protecting citizens from warehouses. In 2022, AB 1547, a bill proposed by Assembly member Reyes which gave authority to the State Air Resources Board to regulate warehouses for their air pollution died in committee. (Reyes, AB 1547, 2022) Another Reyes bill, AB 2840, attempted to restrict warehouses by requiring a buffer zone of 1000 feet between warehouses and sensitive areas like homes and schools. It would allow the state to block counties and cities from approving inappropriate placements of warehouses. This bill failed due to cries by opponents for city and county autonomy and respecting their right to zone their own warehouses (Reyes, AB 2840, 2022).

This legislative history does not mean that there is nothing to be done or that the citizens of Southern Fontana and other impacted areas cannot assert themselves with their governments
and reclaim the protections they are owed. There has been positive legislative action on both the state and federal level.

Financial Reform, Limiting Business’ Influence on Local Government

There is a movement by the State to restrict the level of influence which the logistics industry, and others like it, can have over local elected leaders. SB 1439, which passed in September 2022, requires that a council member recuse themselves from a vote on a project if that member has received a campaign donation from the developer for more than $250 in the year before or after a vote (Senate Bill No. 1439, 2022). The council member may also return the donation if they wish to vote on a certain project. The logistics industry is a large contributor to political campaigns of local elected leaders in the Inland Empire. Mayor Warren’s latest campaign finance disclosure showed she had received seven thousands dollars from one logistics company, an amount well in excess of any other donation during that three month period (Warren, 2023, 4 & 9). The logistics industry operates with deeper pockets than any local group in Fontana, they have the ability and the incentive to put funds behind local candidates for city council election who will be likely and further incentivized to approve their projects. This is a deeply important piece of legislation, which will limit the undue influence which the industry has over lawmakers and the democratic process of cities like Fontana. It is important to note that this law does not address Super PACs, the ability for corporations and moneyed parties to donate to a technically independent group which supports a candidate, without it being considered a direct donation. Logistics Industry corporations can still spend as much money as they wish contributing to ad campaigns for warehouse friendly candidates, as long as the group running the ad campaign doesn’t work directly with the candidate.
AB 1000 Vs AB 1748: Will The State Step Up?

There are currently two bills in committee at the statehouse which address regulations for the placement of warehouses. Assembly Member Reyes has reintroduced the 1000 foot warehouse ban as AB 1000, a bill they are hoping to get passed this session. AB 1000 establishes the “good neighbor policy”, a rule forbidding municipal governments from approving the placement of a warehouse within 1,000 feet of a sensitive receptor, if that warehouse totals more than 100,000 feet. A warehouse may be placed as close as 750 feet away, if that warehouse meets a certain standard of zero emission energy and vehicles. The bill also requires an investment in clean energy infrastructure, such as installing charging stations at every dock door and prohibiting truck idling for more than three to five minutes (Reyes, AB 1000, 2023). It mandates a transition to zero emission vehicles for the onsite fleet which work within warehouses, and an eclectic transition by 2026 for heavy duty vehicles and 2029 for light and medium duty vehicles.

AB 1000 is opposed by another bill, AB 1748, which was introduced by Assemblymember Ramos who represents district 45 in San Bernardino County. (Ramos, AB 1748, 2023). AB 1748 is a much weaker bill and largely resembles the Fontana City Ordinance 1891. It would only require a buffer zone of 300 feet and only apply to warehouses of 400,000 square feet or over. Ramos’ bill is considered the “business friendly” alternative to AB 1000 because it leaves more land free to build warehouses. It does, in fact, serve business interests better than AB 1000, however it fails to provide much protection to residents of the Inland Empire, especially as diesel particulate matter is more than able to travel well in excess of 300
feet (EPA, Particulate Matter Emissions, 1). As many people noted in their public comments, 300 feet is rarely the distance from the loading dock to the parking lot.

AB 1000 would be an important step forward, if it passes this year. It would severely limit where warehouses can be placed and how much impact they can have on people at home and at school. Though AB 1748 is a weaker bill, either bill would standardize the definition of Sensitive Receptors to include schools, daycares, parks, health facilities, community centers, houses of worship, incarceration facilities, and all residences, regardless of zoning. This limits the work-arounds and abuses that city councils like Fontana’s would be able to use to avoid giving people the protections they deserve in their homes and important public spaces.

I attended a hearing of the Natural Resources Committee of the State Assembly, where they discussed and then voted on AB 1000. I went with local organization CCAEJ and Ms. Chavarria in order to represent our organizations’ support for the bill. When asked who stood in support of the bill, 24 people were at the hearing in its favor and 21 were opposed, the majority of whom came from business groups. The bill passed through this committee with much hesitation, mostly on behalf of the continued functioning of the logistics industry and worry over job loss. There was serious dissent to the current language of the bill which fails to adequately define “logistics center”. The day after this thesis is due, on April 26th, both AB 1000 and AB 1748 will be heard by the Committee on Local Governments.
City Council Weighs In

The Fontana City Council voted to oppose AB 1000 and support AB 1748, in a public hearing on April 11th. However, there is ample evidence their decision had been made well in advance of the hearing. They wrote in a sample letter of opposition released before the hearing, “The logistics industry is the backbone of Southern California’s economy, and we must work together to create common sense policies that work to benefit all people and businesses” (Sample Letter of Opposition to AB 1000, 2023).

Before the public meeting, they put their intention to discuss the bill on the agenda, along with one letter of support for AB 1748 and one letter of opposition to AB 1000. There should never have been only two letters. There should have been four letters, one for each way the Council could vote on the two bills. Their vote should have been the result of discussion in the public hearing and listening to the comments of their residents. This is another example of the city council taking a position on warehouses without community input, and over community objection. Their decision to oppose AB 1000 was a forgone conclusion, clearly made already behind closed doors. This is in violation of the brown act which states”

Councils and the other public agencies in the State exist to aid in the conduct of the people’s business. It is the intent of this law that their actions be taken openly and that their deliberations be conducted openly. The people of this State do not yield their sovereignty to the agencies which serve them.” (Chapter 9. Meetings [54950 - 54963], Brown Act, 1953)
The council voted officially to oppose AB 1000 and support AB 1748 in a 4-1 vote after hearing 13 public comments, only two of which took that viewpoint. They did not act on the people’s behalf when making this choice, but rather in the interest of business and their prioritization of development. By establishing the outcome of the vote before it happened and disregarding the public comments given by their residents, they violate yet another state law which is intended to empower the people.

Conclusion

The laws of the state and the ordinances of Fontana are not helping the residents of Fontana deal with or reduce the impact of warehouses on their lives. If impactful regulations are going to be put in place, it will only be at the state level. While it is unclear at the moment whether there is enough political will behind AB1000, Reyes’ actions make it clear she will continue to reintroduce the bill.

I have had the privilege to work with wonderful local organizers. They care about their community and they’re willing to fight for it. The actions they take have the valuable effect of making their community’s voices heard, but they rarely stop warehouse expansion itself. The City Council has a lot of power in this community, to pass ordinances which give or revoke rights, to approve warehouses almost with impunity, and to order the city to choose who bears the brunt of warehouse development and who benefits. They have time and time again broken state law by using that authority to take away citizens rights to engage with their government and to be protected by their government. If state law is not enough to protect the residents of Fontana
from their own government, it will be up to them to vote out this regime and bring in a government which will both hear and protect them.

The state of abuse the City Council levels towards Southern Fontana is evidence of a flaw in our systems of government, which perhaps gives too much leeway and too little oversight to local governments. The choices this City Council makes now will have lasting consequences for years to come, long after the jobs have been lost to automation and the green space has been eradicated. At the committee hearing I attended, a couple of the assembly members spoke about their beliefs that cities know best what benefits their people. But, what happens when the city knows what is causing harm and simply does not care? The City Council of Fontana was, simply through the authority of their municipal governance, able to take away their residents right to protection from pollutants and their voice in decision making. If these can be so easily stripped from people, what other rights might fall next? The targeting of Southern Fontana to pay the cost of warehouse development while people outside that community benefit is one page in a long story of redlining, of dumping toxic waste and landfills in communities of color, of using zoning to abuse some and protect others. This pattern will continue until it is stopped and state law is, apparently, not strong enough to do it. It is up to the residents of Fontana to organize and to vote in a new government, one which will put their health and happiness above the interests of warehouses.
Appendices

Appendix A: Opinion Piece Published by the Fontana Herald News.

Warehouses impact the quality of life for many Fontana residents
By CHANAH HAIGH, Feb 2, 2023

Warehouses. They have crept into every corner of the environment, changing the quality of the air, the noise in the streets, the traffic through town. In Fontana and other Inland Cities, city councils approve warehouse projects over community objections, allowing industrial uses to encroach on the lives and lungs of residents.

As a college student, I first got interested in the impact of warehouses by learning about the shrinkage of farmland in the Inland region. The issue of warehouses is both regional and very local, within cities and neighborhoods. Despite a local approval process, the growth compounds and changes the character and quality of life for communities throughout the region—including in Fontana.

My professor, Mike McCarthy, has been an environmental consultant for 20 years. Along with the Robert Redford Conservancy at Pitzer College, he’s been developing data tools to show the spread and impact of warehouses in the Inland Empire. Recently, Professor McCarthy compared individual cities across the southland to determine the size, number, and proportion of land dedicated to warehouses. Ontario, with about 220 million square feet of land dedicated to warehouses, sits at the top of the list for warehouse saturation. Second in line is Fontana. A city rooted historically in agriculture, Fontana now has 122 million feet, or about 2,800 acres, of land
dedicated to warehouses—a number that continues to grow. A satellite view of Inland Empire land-use clearly shows that our warehouse mega-clusters are visible from space - with all the negative effects that implies on the ground.

Professor McCarthy and I developed a map of warehouses in and around the city of Fontana. In Fontana, most of the oldest warehouses, depicted in yellow, are in the southeast corner near Ontario. Newer and bigger warehouses are further west. The darkest red on our map shows where planned warehouses have been approved. The warehouse footprint is skewed to the south of Fontana below the 10 Freeway, creating a higher impact on those residents. According to CalEnviroScreen, a tool that tracks environmental impacts within census tracts, southern Fontana below Foothill Boulevard has a significantly higher concentration of diesel particulate matter than northern Fontana.

Besides changing the landscape of the city, we estimate that the existing warehouses in Fontana city limits currently generate over 40,000 daily heavy-duty truck trips. Trucks emit toxic air pollution (diesel particulate matter) and are the largest emissions source of the Inland Empire’s ozone, which is the worst in the nation. Trucks also exacerbate traffic, safety hazards, and noise. The footprint of warehouses that are approved or in planning in the city total another 40 million square feet. And two large projects in Bloomington and at the Fontana Speedway will add another 28 million square feet within one mile of city limits.

Warehouses have been and continue to be built in close proximity to incompatible land-uses, like residential neighborhoods and schools. Jurupa Hills High in south Fontana is within 1,000 feet of
at least 6 warehouses; Hemlock Elementary School in north Fontana is within 1,000 feet of 3 warehouses totaling over 4,000,000 square feet. Henry J. Kaiser High and Citrus High are also surrounded by existing and planned warehouses–another problem that particularly affects South Fontana.

Last year, a legal challenge over the proximity of proposed warehouses to Fontana schools brought Attorney General Rob Bonta to the city. This year, the Fontana City Council approved a change to the definition of sensitive receptors. Sensitive receptors is a phrase used to describe people in hospitals, schools, homes, and other public places. The new definition includes schools, daycares, and hospitals but only “where such residence is … not located on a parcel with an existing industrial, commercial, unpermitted or Non-conforming use.” The new policy removes consideration of people’s homes in areas now zoned for industrial uses. South Fontana is more impacted due to the disproportionate warehouse growth there.

City leaders ignore voices of opposition, citing that warehouses provide jobs. But these jobs are particularly vulnerable to automation and poor labor conditions. In addition, Fontana’s ten percent of land devoted to warehouses crowds out locally-owned businesses and prevents the use of that land for higher economic-value and more stable job providers like manufacturing, retail, and office space. Inland Empire gross domestic product (GDP) is falling further behind other US and California metropolitan areas because of the low-wage jobs of the logistics industry.

The controversies, disagreements, and policy changes around warehouses in Fontana point out the clear need for meaningful community engagement within the planning process, as required
by California and Federal law. Our maps showing current and planned warehouses in our IE cities are intended to provide a common frame of reference for community organizations, planners, and municipal leaders to discuss the future of their communities—and in Fontana to chart a path to a higher quality of life and sustainable prosperity for its residents and businesses.

Found here:

https://www.fontanaheraldnews.com/opinion/warehouses-impact-the-quality-of-life-for-many-fontana-residents/article_a72bc60e-a375-11ed-a7a5-e75c574f0e33.html
Appendix B. Near Road Rule Write Up Prepared for Assemblymember Reyes’ Office.

Senate Bill No. 352, Chapter 668: The 2004 “Near Road Rule”

Prepared by Chanah Haigh, Scripps College and Susan Phillips, Robert Redford Conservancy

November 2, 2022

What follows is a summary of California’s SB 352, known as the Near Road Rule, in order to help inform, strengthen, or potentially replace, aspects of AB 2840 introduced by Assembly Member Eloise Gomez Reyes. At the end of the document, we present some ideas for a possible amendment to SB 352.

The AQMD’s 2005 document, Air Quality Issues in School Siting, provides a thorough review of SB 352 and additional guidelines governing the siting of schools in relation to industrial or toxic facilities. Another useful summary of SB 352 by The Planning Center is found here.

SB 352 is an “act to amend Section 17213 of the Education Code, and to amend Section 21151.8 of the Public Resources Code, relating to public schools.” This law is regarding school siting in order to avoid areas with high pollution impact.

SB 352 was first introduced by Senator Escutia on February 19, 2003. It was brought to the Assembly Committee on Education and the Senate Environmental Quality Committee and was signed into law by Governor Gray Davis on October 2, 2003. It came into effect on January 1, 2004 and applies to any school projects that are approved after that date or beholden to CEQA.
SB 352 has two main requirements pertaining to the building or expansion of school property.

- Extra testing of air toxin sources within ¼ mile of any schools; and
- A determination about whether placing a new school within 500 feet of a heavily trafficked road or industrial sites will pose a health hazard to students and teachers due to air pollution.

School sites within 500 feet of a freeway or busy traffic area are required to be checked for carbon monoxide, nitrogen dioxide, particulate matter, and other airborne pollutants. Pollutants, particularly diesel particulates, are a danger to health, contributing to a variety of respiratory diseases, including asthma.

There are pre-existing laws which require all schools within a ¼ mile of permitted facilities (broadly defined as any source which has the potential to emit air pollution or handle hazardous materials) to follow certain protocols. SB 352 goes further by requiring school districts to work with their local agencies (health or fire departments and air quality districts) to determine if there are unpermitted facilities within the school’s ¼ mile radius which might pose a threat to health. Examples of unpermitted facilities include freeways, industrial yards, and large scale farming operations. Under SB 352, schools may still be placed on a site which is considered a significant risk, if they have gone through the CEQA process and determined that there is no viable alternative.
An amendment to SB352 could expand the regulations in this bill in order to protect the health and safety of children at school in California. Warehouses and other proposed projects that draw in traffic and construction could be added to SB 352’s definition of “facilities” for their air polluting potential. The law could be amended to apply in the reverse, potentially replacing the portion of AB 2840 related to warehouse siting.

Elements of SB352 involving third party study of health risks to children (or other sensitive receptors) could also be adapted for AB 2840.

The determination of 500 feet as a buffer was appropriate in 2004. Because of advances in air monitoring, peer reviewed scholarship now finds that 1000 feet is a suitable buffer of protection. An amendment to SB352 could expand to 1000 feet to school siting, then apply that principle in reverse, to industrial, high traffic, or warehouse citing near schools.

If we are regulating where schools are placed in relation to polluting locations, then it follows that we should also be regulating where polluting facilities may be placed in relation to existing schools. In the current system, a school district may be as meticulous as possible in choosing the location of their next school, but an industrial yard could be placed right next to it the following month. This legislative contradiction should be rectified in order to protect the health of our children and teachers.

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Appendix C: A Guide to the Inflation Reduction Act (H.R.5376) for Fontana and the Inland Empire

This booklet is intended to be used by local governments, community organizations, businesses, and any other Inland Empire entity which could benefit from a basic understanding of the Inflation Reduction Act. It does not cover the entirety of the sweeping law, but focuses on the sections which could benefit Fontana, or any city in the Inland Empire, deal with the impacts of warehouses and other sources of pollution.

The Inflation Reduction Act (IRA) has been hailed as the largest environmental legislation ever to be passed. Passed under the Biden administration, it’s a law which contains a significant amount of funding for non inflation related action, such as environmental and health programs. This law does not target warehouses with restrictions, nor does it attack other industries expansions or pollution directly. Instead, the Inflation Reduction Act offers incentives, in the form of $370 billion worth of tax credits, loans, and grants, for cities, states, businesses, and even individuals to embrace environmentally healthy practices and technologies. The IRA contains over twenty tax incentives and billions of dollars in grants for the improvement of the American economy and environment. It places a particular focus on vulnerable and environmentally impacted communities and communities of color. The act is an extension of President Biden’s Justice40 Initiative which is a pledge to funnel 40 percent of the benefits of particular federal investments specifically to marginalized communities overburdened by pollution (https://www.whitehouse.gov/environmentaljustice/justice40/). This was one of Biden’s first declarations of intent upon taking office.
Clean Vehicles

The biggest impact warehouses have on the health of their communities is the air pollution from the trucks which they bring in. Trucks and cars also place a huge burden on the health of the environment. Transportation constituted 27% of greenhouse gas emissions in the United States in 2020 (Building a Clean Energy Economy Guidebook, 2023, 46). Both climate change and poor health from air pollution would be significantly lessened if the logistics industry switched to electric vehicles. In the past, there has been little incentive for them to make this costly switch. However, the IRA offers financial assistance and incentive to companies and cities transitioning to clean energy vehicles.

The IRA offers the Commercial Clean Vehicles Credit which can cover up to 30 percent of the cost of replacing commercial diesel or gas cars with electric or clean vehicles. This credit can be applied to all commercial trucks, including pickup and long haul (Inflation Reduction Act, Section 13403). In addition, up to a 15% cost coverage can be applied to commercial vehicles which will be replaced by a cleaner, though not electric car. The credit can amount to up to $7,000 for vehicles less than 14,000 pounds and $40,000 to any vehicle over that weight, as long as that doesn’t exceed 15 or 30% of the cost of the clean vehicle (Inflation Reduction Act, Section 13403).

An additional $1 billion is set aside through the Clean Heavy-Duty Vehicle section, which is dedicated to helping governments replace gas or diesel powered heavy duty (Class 6 or 7) vehicles such as trucks with zero emission heavy duty vehicles (Inflation Reduction Act, Section 60101). This funding will be available until 2031 and will be accessible to states, municipalities, and schools. It will be administered through rebates and competitive grants (Building a Clean Energy Economy Guidebook, 2023, 89). The program can cover the complete
cost of replacing vehicles, implementing appropriate infrastructure, and training staff. $400 million of the $1 billion will go to regions which don’t meet national air quality standards, such as Fontana and much of the Inland Empire (Inflation Reduction Act, Section 60101).

This piece of legislation is vitally important to achieving cleaner air in Fontana. Previously, there has been little incentive, either financially or through political pressure, for the logistics industry to go through the expensive process of replacing their vehicles with non-emitting electric versions. This is a turning point for those companies! Right now, there is a huge incentive, through the IRA, for companies to electrify their fleets. This money won’t be available forever and legislation may come in the future with less of a carrot and more of a stick. It makes financial and practical sense for companies to choose to take this money and electrify their fleets now, rather than wait and see if and when more stringent legislation will come into place in California.

There are logistic challenges to electrifying a fleet of vehicles, which are ameliorated through this act. For companies who are hesitant to switch due to uncertainty over whether there will be appropriate charging stations along their routes, the IRA builds on another piece of legislation, the Bipartisan Infrastructure Law, which has designated 7.5 billion dollars to build 500,000 electric vehicle charging stations (Building a Clean Energy Economy Guidebook, 2023, Page 46). The IRA also provides a tax credit for businesses and individuals to install charging stations in low income areas. The credit can account for 6% of the cost up to $100,000 per unit for business and 30% for individuals, up to $1,000 (Inflation Reduction Act, Section 30D). This will further expand the network of charging stations across the country, and ensure that low income communities and rural communities are not left out of the electrification of the nation. Another 7 billion dollars is set aside in the Bipartisan Infrastructure Law to ensure the necessary
raw materials, such as Lithium and Cobalt, will be available to American manufacturers (Inflation Reduction Act, Section 50142). These two funding sources from the Bipartisan Infrastructure Law negate two of the greatest logistic challenges to operating a business on electric vehicles, namely the lack of confidence in available charging stations and the shortage of materials necessary to produce the numbers of batteries the country would need for wide scale electrification.

Individual consumers in Fontana can also benefit from this section of the IRA, as it provides a $7,500 tax credit to consumers buying new electric or hybrid cars, which were at least partially domestically produced. Those buying used electric or hybrid vehicles can receive a $4,000 credit (Inflation Reduction Act, Section 30D). While this is a benefit that can only extend to those able to buy new or used electric vehicles, a significant increase of electric over gas vehicles on the roads of Fontana will produce less pollution for all.

When companies in the logistics industry begin to take advantage of this program, it will be incredibly beneficial for air quality in Southern Fontana and across the Inland Empire. Municipal governments should continue pressuring the industry and individual companies to electrify their vehicles now, as they have been given the perfect opportunity.

**Protecting Communities from Harmful Air Pollution and Climate Change**

One of the main goals of the IRA is helping communities deal with poor air quality, to improve it and to help citizens protect themselves from it.

Under the green energy initiative within the act there is $27 billion set aside for the Greenhouse Gas Reduction Fund (Inflation Reduction Act, Section 134). $7 billion of this fund must be allocated for financial and technical support for low income communities to implement
greenhouse gas reducing technologies, such as rooftop solar panels (Inflation Reduction Act, Section 134). The other $20 billion is set aside for financial and technical assistance with other emissions reducing projects (not specifically technology based). Of this, $8 billion is for specifically disadvantaged and low income communities. Put together, this totals $15 million in funds towards helping low income and disadvantaged communities create or benefit from initiatives which reduce air pollutants and greenhouse gasses (Inflation Reduction Act, Section 134). This money can be used for any project with zero emission technology (produces no air pollutants) or activities, technologies, or projects which reduce air pollutants and greenhouse gasses or assist communities in their reduction of air pollutants (Inflation Reduction Act, Section 134).

The grant period for the Greenhouse Gas Reduction Fund started February 15, 2023. The EPA has until September, 2024 to utilize and dispense the funds. Now is the time to apply for and begin implementing projects in Fontana with this grant. It will be administered through a “competitive grant” application (Inflation Reduction Act, Section 134). Eligible applicants include states, municipalities, and nonprofit organizations which provide assistance in developing and deploying low emission technology (Inflation Reduction Act, Section 134).

There is 3 billion dollars available for Environmental and Justice Block Grants, for the purpose of improving air quality and building resilience against climate change (Inflation Reduction Act, Section 60201). Five billion is set available for Climate Pollution Reduction Grants, which can be used on any projects which reduce greenhouse gasses (Inflation Reduction Act, Section 60114). This money could be used to transition to electric power throughout the community, reduce reliance on cars, create new green jobs, and prepare the city for the future. These funds are available through 2026. Communities, like Fontana, are also eligible for 3
million dollars in grants from the EPA to install air quality sensors in low income areas. These could be used to better record and understand the state of air quality in the city, and particularly in Southern Fontana which houses both the Freeways and most of the warehouses (Inflation Reduction Act, Section 60104).

All of these grants, tax credits, and subsidies can be used to stimulate the economy in Fontana, provide green jobs, and most of all create a safer environment for the residents of Fontana, with better protections against pollution and climate change. This is a once in a generation opportunity to obtain funding to help support the community and improve both the economy and the environment. It’s accessible to governments, companies, and individuals. The money is available now and it’s time to start applying for it!

For those looking to get more information on the Inflation Reduction Act, you can read the White House's Building a Clean Energy Economy Guidebook here:

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